I *Do Appoint* Brabazon Aylmer *to Print and Publiſh the Tryal of Sir* William Parkyns, *and that no other Perſon do Print the ſame.*

HOUBLON, Mayor.

I *Do Appoint* Brabazon Aylmer *to Print and Publiſh the Tryal of Sir* William Parkyns, *and that no other Perſon do Print the ſame.*

HOUBLON, Mayor.

THE TRYAL AND CONDEMNATION OF Sir William Parkyns, Kt.

FOR THE

Horrid and Execrable Conspiracy

To ASSASSINATE

His Sacred Majesty King WILLIAM,

In Order to a

French Invasion of this Kingdom:

Who upon full Evidence was found Guilty of

HIGH-TREASON,

AT THE

Sessions-house in the *Old-Baily*, *March* 24. 169⅝.

Together with a

True Copy of the Papers delivered to the Sheriffs of *London* and *Middlesex*, by Sir *J. Freind* and Sir *W. Parkins*, at the Place of Execution.

LONDON:

Printed for *Brabazon Aylmer*, at the *Three Pigeons* over against the *Royal Exchange* in *Cornhil*, MDCXCVI.

THE

TRYAL

AND

CONDEMNATION

OF

Sir William Parkins, Kt.

[illegible]

Horrid and Execrable Conspiracy

To ASSASSINATE

His Sacred Majesty King WILLIAM

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French Invasion of this King[illegible]

Who upon Rain Evidence was [illegible]

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Sessions-house in the Old-Baily, March 24 1695.

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THE TRYAL OF Sir William Parkins, Knt.

On Tuesday the 24th. of *March*, 169⅝, AT THE *Sessions-House* in the *Old-Bayly*, *London.*

The COURT (according to their Adjournment the preceeding day) met, and proceeded to the Tryal of Sir *William Parkins*, in this manner.

Clerk of the Crown. SET Sir *William Parkins* to the Bar.

Sir *W. Parkins*, My Lord, If Your Lordship please, My Wife came to see me in Prison, and sent a Trunk, with some Linnen, and other Things necessary for my use; And the Sheriffs of *London* finding them, have seized, and detain them: And I desire Your Lordship would please to Order them back again. The Trunk has in it many necessaries, and all things have been torn from me: And I beg the favour of Your Lordship, to Order it to be delivered back to me.

Mr. Sheriff. My Lord, If Your Lordship please, We were sent for to Mr. Secretary *Trumbal's* Office; and there was a Trunk opened, with Plate and Houshold Linnen: And Mr. *Secretary* was pleased to deliver the said Trunk into our hands, and to take my Brothers Hand in a Recipt for it. We found it in the Secretaries Office, and had a Warrant to bring it down.

L. Ch. J. Holt. I believe your Trunk was seized in order to search for Treasonable Papers.

Sir *W. Parkins.* Yes, My Lord, I believe it was. I hope it shall be delivered back again.

L. Ch. J. H. What was in it?

Mr. Sheriff. There was Diaper Linnen, and some other things, and about an Hundred and Fifty Ounces of Plate. We had it from Mr. Secretary *Trumbals* Office, we did not seize it, but found it in his Office, and brought it down.

L. C. J. Holt. He must have it again, he ought to have wherewithal to subsist, and for his necessary support while in Prison; let the Plate be sold, for his support while he is in Prison. Care shall be taken of it, Sir *William.*

Sir *William Parkins*, My Lord, I have nothing to ſubſiſt on, unleſs I can make ſomething of what is there. My Wife lacks neceſſaries, and I have Four Children, and we have nothing to ſubſiſt on.

L. C. J. Holt. Had you ſent and complained of this before, care ſhould have been taken about it.

Sir *W. Parkins.* My Lord, I was told there was a Petition to Your Lordſhip, and they talkt of an Order from the Council; but when I came to inquire, there was no Order of Council, only to ſearch and examine it.

L. C. J. Holt. I heard nothing of it, Let the Money be advanced; care ſhall be taken of it.

Sir *W. Parkins.* I thank your Lordſhip.

Cl. of the Cr. Sir *William Parkins*, Hold up thy Hand; which he did.

Thou ſtandeſt Indicted, *&c.*

The Subſtance of the INDICTMENT.

London, *ſſ.* THE Jurors, *&c.* Preſent. *That whereas an Open, Notorious, Publick and Cruel War for a great Time hath been, and yet is Carried on and Proſecuted by Land and by Sea by* Lewis *the French King, againſt the moſt Serene, Illuſtrious and Excellent Prince, our Lord,* WILLIAM *the Third, by the Grace of God, of* England, Scotland, France *and* Ireland, *King, Defender of the Faith,* &c. *During all which time the ſaid* Lewis *the French King, and his Subjects, were, and yet are Enemies of our ſaid Sovereign Lord the King, and His Subjects, One* Sir William Parkins, *late of the County of* Middleſex, *a Subject of this Kingdom of* England, *well knowing the Premiſſes, the Fear of God in his Heart not having, nor weighing the Duty of his Allegiance, but being moved and ſeduced by the Inſtigation of the Devil, as a falſe Traytor againſt the ſaid moſt Serene and Excellent Prince,* WILLIAM *the Third now King of* England, *&c. his Supream, True, Natural and Undoubted Lord, the Cordial Love, and True and Due Obedience and Allegiance which every Subject of our ſaid Lord the King towards Him doth bear, and of right ought to bear, withdrawing and intending to extinguiſh, and minding, and with all his ſtrength deſigning and endeavouring the Government of this Kingdom of* England, *under Him of Right Duly and Happily Eſtabliſhed, altogether to Subvert, Change and Alter, and His Faithful Subjects and Freemen of this Kingdom of* England *to Subjugate and Enthrall, in an intolerable and miſerable Servitude to the* French King, *on the Firſt of* July, *in the Seventh Year of the Reign of our ſaid Sovereign Lord the King, and divers other Dayes and Times, as well before as afterwards, in* Covent-Garden *and elſewhere, in the County of* Middleſex, *Falſly, Maliciouſly, Deviliſhly and Traiterouſly, did Compaſs, Imagine, Contrive and Intend, our ſaid* Sovereign *Lord the King that now is, then his Supream, True, Natural and Lawful Lord, of and from His Regal State, Title, Honour, Power, Crown Imperial and Government of this Kingdom of* England, *to Depoſe and altogether Deprive, and Him to Kill and Murder; and to move excite and procure, and Aid the ſaid* Lewis *the* French King *and his Army, this Kingdom to Invade,* &c. *and to make and cauſe a miſerable Slaughter amongſt the Faithful Subjects of our ſaid Sovereign Lord the King. And that he the ſaid* William Parkins *to the ſaid Enemis of our ſaid Sovereign Lord the King, then and there, was Adhering and Aſſiſting; And the ſame moſt Wicked and Deviliſh Treaſons,* &c. *to fulfil,* &c. *and in proſecution,* &c. *of the Traiterous Adheſion, he the ſaid* William Parkins *as ſuch a falſe Traitor during the War aforeſaid,* (viz.) *upon the Firſt day of* July *in the Year aforeſaid, and at other Dayes and Times, as well before as afterward, in* Covent-Garden *and elſewhere in the County of* Middleſex, *did Falſly, Maliciouſly,* &c. *and with Force and Arms with one* Robert Charnock, *lately Convicted of Treaſon, and with divers other falſe Traytors, to the Jurors aforeſaid unknown, did Met, Propoſe, Conſult, and Agree, to Procure from the ſaid* Lewis *the* French King, *Forces, Subjects and Souldiers, great numbers,* &c. *this Kingdom of* England *to Invade; and to Levy, Procure and Prepare great Armies and Armed Men againſt our ſaid Sovereign Lord the King, to be raiſed and formed; and with the Enemies aforeſaid, to and upon ſuch Invaſion and Ingreſs into this Kingdom of* England, *to joyn and unite Rebellion and War againſt our ſaid Sovereign Lord the King, within this Kingdom of* England, *to make, levy, and wage, our ſaid Sovereign Lord the King to depoſe,* &c. *And further, with the ſaid falſe Traytors, on the Firſt day of* July *in the Year aforeſaid, in* Covent-Garden *aforeſaid, Traiterouſly did Conſult, Conſent and Agree,*

to

to ſend the ſaid Robert Charnock, *as a Meſſenger from him the ſaid Sir* William Parkins, *and the ſaid other Traytors, to the Jurors unknown, to and into the Kingdom of* France, *&c. to the late King* James, *to Propoſe, Ask and Obtain from the ſaid* Lewis *the* French King, *the Forces and Armed Men aforeſaid, for the Invaſion aforeſaid to be made, and to give and deliver to the ſaid King* James, *and other the ſaid Enemies and their Adherents, Intelligence and Notice of ſuch Traiterous Intentions and Adheſion, and all other particular Matters,* &c. *relating thereunto: And alſo Intelligence from them of the ſaid intended Invaſion, and other things and circumſtances concerning the Premiſſes to receive,* &c. *And in order to the better Aſſiſtance,* &c. *of the ſaid Enemies of our ſaid Sovereign Lord King* WILLIAM, *in the War aforeſaid: And to excite and procure the ſaid Enemies of our ſaid Sovereign Lord the King, the more readily and boldly to Invade this Kingdom of* England, *and the ſaid Treaſons,* &c. *of him the ſaid Sir* William Parkins, *to perfect and bring to paſs,* &c. *he the ſaid Sir* William Parkins *during the War aforeſaid, did* (viz.) *on the* 10th *day of* February, *with the ſaid* Robert Charnock *and others, meet, conſult,* &c. *our ſaid Sovereign Lord King* WILLIAM, *by lying in wait to Aſſaſſinate, Kill and Murder; and this execrable Aſſaſſination the eaſier to fulfil and bring to paſs, did prepare and conſult with other falſe Traytors, of the wayes, means and methods, and of the time and place when and where, and in what manner,* viz. *by lying in wait they might more eaſily kill and ſlay our ſaid Sovereign Lord the King; and did Conſent and Agree with the ſaid falſe Traytors, that Forty Men and Horſes, part of the Traytors aforeſaid, ſome of them by the ſaid Sir* William Parkins *to be procured, with Muſquets, Carbines and Piſtols, charged with Gunpowder, and loaden with Bullets, and with Swords and other Arms, to lye in Wait and Ambuſh againſt our ſaid Sovereign Lord the King in His Coach, being when He ſhould go abroad a Hunting, to ſet upon and Murder, while others ſo Armed, the Guards attending upon Him ſhould Kill and Murder: And that he did take upon him to provide Five Horſes for thoſe Men who ſhould Kill and Murder our ſaid Sovereign Lord the King: And alſo that he the ſaid Sir* William Parkins, *the ſaid Treaſon and Trayterous Conſpiracies to execute,* &c. *afterward, to wit, the Day and Year laſt aboveſaid, divers Arms, Muſquets, Carbines, Swords, and other Arms,* &c. *Falſly, Maliciouſly, Secretly and Trayterouſly, did obtain and buy, collect and procure, and cauſe to be obtained,* &c. *and in his Cuſtody had and kept, with Intention the ſame in and about the Deteſtable, Horrid and Execrable Aſſaſſination, Killing and Murdering of our ſaid Sovereign Lord the King, and in the ſaid Invaſion to employ. And alſo the ſaid Trayterous Imaginations the better to bring to paſs, he the ſaid* Sir William Parkins, *in the Pariſh aforeſaid, divers Souldiers and Armed Men, and Men ready to be Armed when the ſaid Aſſaſſination ſhould be, did levy, enroll and retain, and cauſe to be levyed, enrolled and retained: And thoſe ſaid Souldiers and Armed Men thus Levyed, Enrolled and Retained, the Treaſons aforeſaid to bring to paſs, then and there ordered to be in a readineſs to be uſed and imployed,* &c. *againſt the Duty of his Allegiance, and againſt the Peace of our ſaid Sovereign Lord the King that now is, His Crown and Dignity; as alſo againſt the Form of the Statute in that Caſe Made and Provided.*

Cl. of Cr. How ſay'ſt thou, Sir *William Parkins*, Art thou guilty of this High Treaſon, whereof thou ſtandeſt Indicted, or not guilty?

Sir *W. Parkins.* Not guilty.

Cl. of Cr. Culprit, How wilt thou be Tryed?

Sir *W. Parkins.* By God and my Countrey.

Cl. of the Cr. God ſend thee a good Deliverance.

Sir *W. Parkins*, I beg your Lordſhips favour for a word or two. My Lord, I have been kept in hard Priſon. I was Committed, and no Body was permitted to come to me till Friday laſt. And being here Charged with divers Facts, it was neceſſary for me to have divers Witneſſes; and they are diſperſt: And therefore I beg of Your Lordſhip that my Tryal may be put off, that I may get my Witneſſes together.

L. C. J. Holt. When had you notice of your Tryal?

Sir *W. Parkins.* On Wedneſday laſt in the Afternoon I had notice, and not before then. But being kept ſo cloſe Priſoner, I had not the opportunity of any Council till Friday at Noon; and then it being but two days, and I in diſtreſs and hardſhip, it was impoſſible for me to get my Witneſſes together.

L. C. J. Holt. What Witneſſes do you want?

Sir *W. Parkins.* I have divers Witneſſes to prove where I was from time to time, when theſe things were done that are charged upon me; but they are out of Town, and I cannot get them together in ſo ſhort a time.

L. C. J. Holt. When had he Notice?

Mr. *Baker.* He had Notice on Wedneſday laſt in the Afternoon.

Mr. *Sollicitor.*

Mr. *Sollicitor Gen.* Mr. *Baker*, How was it that he had not Counſel ſooner?

Mr. *Baker.* I told him laſt Wedneſday, that I would procure an Order for Counſel, and he ſhould have it the next Morning; and Mr. *Burley* came to me the next Morning, and had the Order.

L. C. J. Holt. You were told on Wedneſday you might have what Counſel you would, and you had an Order on Thurſday.

Sir *W. Parkins.* My Lord, I could not have any, without application to the Court at *White-Hall*, and no Body came to me, and it was Friday before any Body came to me.

L. C. J. Holt. You had your Sollicitor, you might have imployed ſome Body, and have ſent for your Witneſſes; you might have told your Sollicitor, and he would have come to me.

Sir *W. Parkins.* I could not get him till Thurſday, and I had no Body to ſend.

L. C. J. Holt, If you had ſpoke to the Keeper, he would have ſent.

Sir *W. Parkins.* I did it as ſoon as I could: The Keeper was not always in the way. It was Execution day, and he was not at home that day.

L. C. J. Holt. You ſay you have divers Witneſſes, but name none. How long is it ſince you were Committed?

Sir *W. Parkins.* This Day Fortnight I was Committed: A Fortnight ago, My Lord.

L. C. J. H. And the Commitment charges you with High Treaſon. Were you not committed for High Treaſon?

Sir *W. Parkins.* I never ſaw the Commitment.

Mr. Sollicitor Gen. My Lord, he had fair time; for he ſaw his Name in the Proclamation long before he was committed: He might have prepared from that time.

L. C. J. H. The Keeper dare not keep a Copy of the Commitment from you; you might have had a Copy of it.

Sir *W. Parkins.* No body was permitted to come to me, if I had had it, but the very Goaler.

Mr. Baker. I gave Sir *William* notice of his Tryal; and he ſaid, The Time was ſhort, and he would Petition for longer time. I told him it was appointed for that time, and that I did believe he would not have longer Time given him.

L. C. J. H. We do not ſee any Reaſon to put off the Tryal upon theſe Suggeſtions.

Sir *W. Parkins.* My Lord it is very hard. I humbly beg the Favour that I may have Counſel allowed me. I have no skill in Indictments, I have no underſtanding in theſe matters; I beg your Lordſhip to aſſign me Counſel.

L. C. J. H. You are not ignorant, that Counſel has always been refuſed, when deſired in theſe caſes.

Sir *W. Parkins.* Here is a new Act of Parliament lately made.

L. C. J. H. That Act does not yet commence.

Sir *W. Parkins.* It wants but one day.

L. C. J. H. It is not in our Power to take notice of it ſooner: We cannot make it commence a day before the time.

Sir *W. Parkins.* Will your Lordſhip pleaſe that it may be read?

L. C. J. H. You ſhall have it read, if you will.

Sir *W. Parkins.* If your Lordſhip pleaſe.

Then the Act was read accordingly.

L. C. J. H. Sir *William*, This Law has no effect as yet; but the Law ſtands as it did before the making of that Act.

Sir *W. Parkins.* It is reaſonable that I ſhould have Counſel.

L. C. J. H. But, Sir *William*, we muſt go according to Law.

Sir *W. Parkins.* My Lord, the Law is grounded upon Reaſon; and I have had ſuch ſhort notice, that I could not have time to prepare to make my Defence. I hope that which will be Reaſonable to morrow, is ſo to day: And no doubt your Lordſhip may Order it, eſpecially when your Lordſhip ſees how ſtraight it is upon me, that I cannot make my Defence.

L. C. J. H. We cannot go againſt Law: We cannot make a Law, but muſt go according to it.

Sir *W. Parkins.*

Sir *W. Parkins.* But it is juſt and reaſonable, the Act ſays.

L. C. J. *Holt.* The Parliament have thought fit to make ſuch a Law to commence the 25*th* of this Month; and it is not Law, till the Parliament have appointed it to be Law, and we cannot make it commence before.

Sir *W. Parkins.* If I had had convenient Notice, I had been within the Compaſs of that Act, and there is no other Man can want the Benefit of that Act but my ſelf.

L. C. J. *Holt.* We cannot alter the Law, but are bound by our Oaths to proceed according to the Law that is in being at preſent.

Sir *W. Parkins.* Pray, my Lord, may not the Trial be put off for ſome little time? I am utterly unprovided for making my Defence.

L. C. J. *Holt.* You do not name any Witneſſes that you want, nor the time you can have them in.

Sir *W. Parkins.* I will name both, if you pleaſe, my Lord.

Mr. *Att. Gen.* You have had as much Notice as any have had.

L. C. J. *Holt.* You have had as much Notice as Sir *John Friend* had yeſterday.

Mr. *Att. Gen.* And as much as is neceſſary, even after the Act of Parliament takes effect.

Sir *W. Parkins.* Sir *J. Friend* was charged with ſingle Facts, about the time; and I am charged with many things, much more particular, than he was.

Mr. *Sol. Gen.* My Lord, this Act does not meddle with Notice of Trial, but it continues the ſame as it was before.

L. C. J. *Holt.* No, nothing at all.

Sir *W. Parkins.* My Lord, I hope you will be my Counſel.

L. C. J. *Holt.* So we will, and do you all the Right we can.

Then the Petty Jury impannelled for his Trial was called, and the Priſoner was informed by the Court that he might challenge 35, without Cauſe ſhewn, and as many as he would, aſſigning a good Cauſe. Accordingly the Priſoner, amongſt others challenged two, aſſigning as a Cauſe, that they were the King's Servants. But he was told by the Court that that was no Cauſe of Challenge; but the King's Counſel did not inſiſt on that, if there were enough beſides. And this was ſaid, that it might not go for a Precedent, that this is a ſufficient Reaſon for a Challenge. The Twelve that were ſworn, were,

William Northee,	*Tho. Edlin,*
Edward Gold,	*Robert Sanderſon,*
Daniel Thomas,	*Ralph Marſh,*
Henry Whitchcott,	*Joſeph Whiſton,*
Robert Bampton,	*Tho. Ems, of* Stanhopp.
Tho. Sutton.	*Nicholas Rufford.*

After which, Proclamation for Information was made in uſual manner.

Cl. of the *Cr.* Sir. *W. Parkins,* Hold up thy Hand, (which he did;) You Gentlemen of the Jury look upon the Priſoner, and hearken to his Cauſe: He ſtands indicted by the Name of Sir *William Parkins, &c.* for that he as a falſe Traitor, *&c.* (where the Indictment was again read.) Upon this Indictment he hath been Arraigned, and thereunto hath pleaded not Guilty. Your Charge is to enquire whether he be Guilty of the High Treaſon, whereof he ſtands indicted, or not Guilty. If you find him Guilty, then you are to inquire what Goods or Chattels, Lands or Tenements he had at the time of the High Treaſon committed, or at any time ſince. If you find him not Guilty, you are to enquire whether he fled for it: If you find that he fled for it, you are to enquire of his Goods and Chattels, as if you had found him Guilty: If you find him not Guilty, nor that he did fly for it, ſay ſo, and no more. Now hear your Evidence.

Sir *W. Parkins.* My Lord.

L. C. J. *Holt.* What ſay you, Sir *William?*

Sir *W. Parkins.* You were pleaſed to ſay that you would be my Counſel. If your Lordſhip ſees any Fault in my Indictment that may be any Advantage to me I deſire your Lordſhip to inform me.

L. C. J. *Holt*, I have read it, and I obſerve none.

Mr. *Mountague*. May it pleaſe your Lordſhip, and you Gentlemen of the Jury, This Indictment does contain as heavy an Accuſation as ever was brought againſt any one: For it charges the Priſoner not only with the traiterous Deſign of ſubverting the Government, and of killing the King; but alſo it charges the Priſoner with deſigning an Invaſion upon theſe Kingdoms, and an Aſſaſſination of the King's Perſon. The Indictment ſets forth, that the Priſoner did meet with Mr. *Charnock* and other falſe Traitors; and there it was agreed how to procure ſome French Forces to land here in *England*, and alſo to raiſe a Rebellion againſt his Majeſty within this Kingdom. Mr. *Charnock* was ſent as a Meſſenger from the Priſoner and the reſt, over to the late King *James*, to acquaint him with this bloody Deſign, and to deſire him to procure and borrow of the French King as many Forces as he could ſpare, to make this Deſcent upon theſe Kingdoms: and to facilitate his Deſcent, they promiſed to get as many together as they could, to meet him upon his Landing. And it was agreed that forty Men ſhould be provided, of which the Priſoner was one, to lie in wait, and ſet upon the King in his Return from Hunting, and to Aſſaſſinate him. Some were to fall upon the Guards, while others murdered the King in his Coach.

The Indictment further charges the Priſoner with providing ſeveral Horſes and Arms, and that he did provide five Horſes for them that were to commit the Aſſaſſination. And the Indictment alſo does charge the Priſoner with getting together ſeveral Arms. To this Indictment the Priſoner has pleaded not Guilty. If you do not believe him Guilty of what the Indictment charges him with, God forbid but he ſhould be acquitted. But if you believe him Guilty, the Nation does expect you ſhould do Juſtice to the King and Kingdom.

Mr. *Att. Gen.* My Lord, and you Gentlemen of the Jury, the Priſoner, Sir *William Parkins*, ſtands indicted of High Treaſon, for compaſſing and endeavouring the Death of the King, and adhering to his Majeſty's Enemies. The Overt-acts laid in the Indictment to prove this Treaſon are theſe; That the Priſoner, together with ſeveral others, had ſeveral Meetings and Conſultations, wherein it was agreed to ſend a Meſſenger over to invite the French King to invade this Kingdom, and to depoſe the King, and ſubject this Kingdom to the Tyranny of a French Power. And further, that he entred into a Conſpiracy with ſeveral Perſons to murder his Majeſty. Theſe are the Overt-acts to prove this Treaſon againſt the Priſoner. The Evidence to prove this will be in this manner: It will appear, that the Priſoner had a Commiſſion from the late K. *James* to raiſe a Regiment of Horſe in *England*; and that in *May* laſt the Priſoner had a Meeting with ſeveral others at the Old King's-head in *Leadenhall-ſtreet*, where there were preſent the Lord *Aileſbury*, the Lord *Montgomery*, Sir *John Friend*, Sir *John Fenwick*, Sir *William Parkyns*, Mr. *Charnock*, Capt. *Porter*, Mr. *Cook*; and Mr. *Goodman* came in after Dinner. At that Meeting it was conſulted among them, how they ſhould bring back the late King *James*, and depoſe his preſent Majeſty King *William*. And in order to that, did reſolve to ſend a Meſſenger, Mr. *Charnock*, one of them, to the late King *James*, to deſire him that he would obtain from the French King about ten thouſand Men to invade this Kingdom; eight thouſand Foot, a thouſand Horſe, and a thouſand Dragoons: And to incourage the late King *James* to do this, they did aſſure him by their Meſſenger, they would meet him with two thouſand Horſe upon his Landing. They all agreed they would do this, and Mr. *Charnock* did agree to go upon this Errand. About a Week after Mr. *Charnock* not being willing to go without good Aſſurance from them that ſent him, did deſire there might be another Meeting. And accordingly there was another Meeting of the ſame Perſons, of which the Priſoner was one; and that was at Mrs. *Mountjoy*'s, a Tavern in *James-ſtreet*. And at that Meeting they did all agree, as formerly, to continue the Reſolution they had taken, to ſend Mr. *Charnock* over to the late King *James*, to aſſure him of their Aſſiſtance, if he would give them notice when and where he would land. And they did take notice, that that was a very proper time for ſuch an Invaſion to be attempted; for the King was then gone into *Flanders*, and moſt of the Forces were drawn thither, and the People very much diſſatisfied; and therefore it would be very eaſy to accompliſh ſuch a Deſign at that time. And they did therefore deſire Mr. *Charnock* to go upon that Errand, and to deſire that the late King *James* would be ſpeedy in his Coming. After a few days Mr. *Charnock* did go to *France*, and delivered his Meſſage to the late King *James*, who took it very kindly, but ſaid, the French King could not ſpare ſo many Forces at that time. And he came over again, and brought that Meſſage to thoſe Gentlemen that ſent him. This was in *May* or *June* laſt, and ſo the Conſpiracy ceaſed at that time. But you will hear, laſt Winter it was revived again, and was attempted and carried

carried on very near to a fatal Succeſs. You will hear, Gentlemen, that the Priſoner at the Bar has had as great a hand as any in this barbarous Conſpiracy and Treaſon; not only in the Invaſion that he and the reſt ſent the Meſſenger over to procure, but in the blackeſt part, the Aſſaſſination of the King. About *January* laſt Sir *G. Berclay*, Lieutenant of the Guards to the late King *James* in *France*, was ſent over into *England*, to excite Perſons to go on in the aſſaſſinating of the King; and for his Aſſiſtance there were ſent over, before and after him, about twenty Troopers of the late King *James*'s Guards in *France*: and Sir *G. Berclay*, to incourage Perſons to ingage in this horrid Conſpiracy, brought over with him a pretended Authority from the late King *James* to juſtify them; and that was a Commiſſion from the late King *James*. He communicates this Deſign of his to Mr. *Charnock*, Capt. *Porter*, and others; and amongſt the reſt to the Priſoner at the Bar, having a great Confidence in him. He did acquaint him he had ſuch a Commiſſion, and ſhewed it him; and that the Commiſſion was to levy War againſt the King's Perſon, which they took as a ſufficient Authority to attack his Perſon. In order to the accompliſhing this horrid Conſpiracy, ſeveral Meetings there were, at which the Priſoner was preſent, and very active, ſometimes at Capt. *Porter*'s Lodgings, at other times at the Nag's-head in *Covent-Garden*, and the Sun-Tavern in the *Strand*. You will hear, that at theſe Meetings they did propoſe ſeveral Ways and Methods to accompliſh this Conſpiracy; and ſeveral Perſons, ſome of which have ſuffered the juſt Puniſhment of the Law, were appointed to go and view the Ground, where moſt conveniently the King's Perſon might be aſſaulted. *King*, that has been executed for it, and Capt. *Porter*, and one *Knightly*, went to view the Ground, to ſee the moſt convenient Place. And the Day before they went, there was a Meeting, at which was preſent the Priſoner and ſeveral others, where it was reſolved upon, that they ſhould go and view the Ground; and Capt. *Porter*, Mr. *Knightly*, and Mr. *King*, accordingly went to ſee the moſt convenient Place. After that, at *Brentford*, they went over to *Richmond*, where his Majeſty uſed to go a hunting to divert himſelf. At laſt they pitch'd upon a Place, a Lane between *Brentford* and *Turnham-green*, and they thought that a convenient Place for doing this barbarous thing. And when they had viewed the Ground, they were to come back in the Evening to the Nag's-head-Tavern, where the reſt were to meet, to give them an Account of their Proceedings. Accordingly in the Evening they came back, and at the ſaid Place were the Priſoner, Sir *G. Berclay*, Mr. *Charnock*, and others; and there they had an Account of the thing, and they did reſolve it ſhould be done in that Place; and the manner was this, That Sir *G. Berclay*, with ſeven or eight choſen out of the reſt, were to attack the King's Coach, and to kill the King, while the other Party were to attack the Guards; and the Number in all was to be about forty. This was agreed upon. And the firſt time they agreed upon to put this barbarous Deſign in execution, was the 15*th* of *February*, upon a Saturday, the day the King uſually went a hunting. But it happened, by very great Providence, that the King did not go abroad that day. They contrived further, to make the thing very ſure, that there ſhould be two Perſons, whom they called Orderly Men, that ſhould be placed at *Kenſington*, to give notice when the King went abroad, one *Chambers*, and *Durance* a Fleming.

And afterwards *Durance* was likewiſe imployed to view the Place at *Turnham-Green* and to take notice of thoſe Places that were moſt convenient for the lodging and placing of their Men two or three in a Houſe, that they might not be obſerved to be in a readineſs the Day they were to accompliſh their Deſign.

Now the 15*th* of *February*, they being diſappointed by the King's not going abroad, they reſolved to accompliſh it upon the Saturday following, the King uſually going a Hunting upon Saturdays, and therefore that Day was pitch'd upon. Accordingly on the Friday following there was another Meeting at the *Nags-Head* in *Covent-Garden*, where were preſent Sir *George Berclay*, Captain *Porter*, Mr. *Charnock*, and the Priſoner. There they had ſome Diſcourſe, and were in doubt, becauſe of the firſt Diſappointment they had received, whether there were not ſome Diſcovery, and the thing taken Air; but they were ſoon reſolved of that, for it was ſaid, if the thing had been diſcovered they ſhould not have been there to meet; that ſeemed very probable, and gave them new Aſſurance that they were not diſcovered; and thereupon they reſolved to put it in execution the next Day, the Day which they had before reſolved on, being Saturday the 22*d* of *February*, and to do it in the ſame manner as had been reſolved on before. At that meeting Captain *Porter* told them he had had a Misfortune, that ſome of the Horſes he had undertaken to provide were fallen Lame; he acquainted the Priſoner, Sir *William Parkins*, with it; and he was careful to ſupply him with other Horſes, and told him he could get him a note to

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one *Lewis*, Maſter of the Horſe to the Lord *Feverſham*, for three Horſes out of his Stable; and accordingly did ſend him a Note for three Horſes to be had from thence. *February* the 2d in the Morning, the Time appointed to put it in Execution, they met together, and had notice from *Kenſington* that the King did go a Hunting; and then there was great Joy among them all, for then they thought they ſhould be ſure to accompliſh their Deſign, and ſo they ordered all things to be got ready. But afterwards, about twelve a Clock, News came that the King did not go abroad, that the Coaches were come back, and the Horſes all of a Foam; and then they thought it had taken Air, and that they were diſcovered, and that put them into a great Conſternation. Now, Gentlemen, this is the Account you will have by the Evidence, of the Conſpiracy for Aſſaſſinating the King, at the ſeveral Meetings at which the Priſoner was preſent. There will be a little more Evidence if there be occaſion, to confirm this, as to the part the Priſoner had in this barbarous Conſpiracy: For it will appear to you, Gentlemen, the Priſoner had a Commiſſion from the late King *James* to raiſe a Regiment of Horſe, and had ſent a Meſſenger on purpoſe to invite the late Kings *James* over about *May* or *June* laſt, and he had provided many Arms for that purpoſe. About *Michaelmas* laſt he ſent a Parcel of choice Goods, as he called them, put into ſeveral Caſes, there were ſeven or eight of them; and they were put into three large Caſes, and ſent by his order from his Houſe in *Warwickſhire*, to one *Heywood*'s. It ſeems this *Heywood* married Mr. *Charnock*'s Siſter, and Mr. *Charnock* ſent a Lettter to *Heywood*, to deſire him to lodg ſome Goods in his Houſe of Sir *William Parkins*'s, for he durſt not truſt them in his own Houſe in *Warwickſhire*, becauſe he had no Servants to look after them, and did deſire they might be lodged in his Houſe, and he gave him a Letter directed to *Heywood*. And they were accordingly carried to *Heywood*'s, and locked up, and privately kept till this horrid Conſpiracy came out: and then the Priſoner ſent his own Servant down the Tueſday after the Diſcovery, and gave him order immediately to go down to *Warwickſhire*, to one *Evans* his Servant there, to deſire him to remove all thoſe Goods away with all Expedition, and to ſecure and hide them. Accordingly on Wedneſday, the Day after, he came thither, and acquainted *Evans* with his Meſſage; and they went on *Aſh-wedneſday* in the dark with a Cart, and they were deſired to ſtay till the next Day; but they could not ſtay longer, but would have the Goods removed that very Night; and accordingly they were carried from thence to Sir *William Parkins*'s Houſe, and they were buried in the Ground to preſerve them, being Goods of very great Value. But afterwards ſearch being made in Sir *William*'s Houſe, and when they came to be diſcovered, and the Caſes broke open, you will hear they were Goods of great Concern, of an extraordinary Nature, 32 Carbines, 25 Caſes of Piſtols, and 4 dozen of Swords: So that this will make it apparent without diſpute, how far the Priſoner has ingaged in Levying of War, and encouraging an Invaſion. Further it will appear upon the Priſoner, that he had a conſiderable number of Horſes at his Houſe in *Hertfordſhire*, for he had another Houſe at *Buſhy* in *Hertfordſhire*; ſome of theſe were brought up to the *George-Inn* in *Holburn*. But there is another thing I muſt open to you before that of the Horſes: About *Chriſtmas* laſt the Priſoner did acquaint one Mr. *Sweet*, an Officer of the *Exciſe*, (I am very ſorry we ſhould have any Officers any where truſted with High-Treaſon, as he was) The Priſoner gave him an Account, that he had aſſurance formerly that the late K. *James* would land, but now he had it under his own Hand that he would land ſpeedily; and he had made Preparation on purpoſe to meet him, and that great things were expected from him, and that he had his own Troop ready that conſiſted chiefly of old Soldiers, and ſeveral Perſons would be Voluntiers under him. He told him he was to go into *Leiceſterſhire*, and that there were ſeveral Gentlemen from the North and the Weſt to meet together, to ſettle a Correſpondence, and to conſult of Methods how to meet the late King upon his landing. And accordingly he did go, and you will have an Account he came to *Leiceſter* on Friday night, and Captain *Scudmore* went with him, and he ſtaied all Saturday, and part of Sunday. And while he was there, there came ſeveral Perſons to him, particularly Capt. *Yarborough* Son of Sir *Thomas Yarborough*, and another Perſon with him; they came as far as *York* to meet with the Priſoner at *Leiceſter* and ſeveral other Perſons, and there was a great Reſort to them at *Leiceſter* at that Time. Sir *William Parkins* came back to *Buſby* on Monday Night, and acquainted *Sweet* again, that he had been his Journey to *Leiceſter*, and met ſeveral Gentlemen from the North and the Weſt, and found them all fully engaged in the Deſign for the Service of the late King *James*, and that there was no danger of the miſcarrying of it; this was in *January* laſt that this Expedition was made by the Priſoner.

Afterwards

Afterwards you will have a farther Account of the Horſes of the Priſoner, it was very unfortunate that thoſe Horſes were generally brought to Town the Evening before the Day the King was to be Aſſaſſinated. *Feb.* 14. Sir *W. Parkins* being in Town the Day before, ſent to his Groom to bring up three of his Horſes the 14th of *February* in the Afternoon; which Horſes were all furniſhed for Troopers, and had Saddles and Piſtols for that purpoſe: And his Servant brought them according to his Order, and acquainted him *Friday* in the Afternoon, *February* the 14th that he had brought them (he lodged in *Norfolk ſtreet* with Mr. *Charnock*); Sir *W. Parkins* pretended to him at firſt, that he would go out of Town that Evenening; but then changed his Mind, and told him he muſt get them ready on *Saturday* the 15th, the firſt Day the Aſſaſſination was intended: And in the Morning, when his Man came to him to know when his Horſes were to be got ready, he told him he had changed his Mind, he would not go that Day, he would not go out of Town till *Monday*; for the Deſign miſcarried by the King's not going abroad; and then Major *Homes*, who was one of the Conſpirators, went out of Town with him, as you will hear, and they came to Town again the 21th of *February*, which was the day before the Day of the intended Aſſaſſination; then there were more Horſes brought up, four or five, and all of them with Piſtols, Jack-boots, and other Furniture proper for Troopers. They came up on *Friday* to the *George*, and the Priſoner gave order to this particular Servant that came up with him, *James Ewbanck*, who was his Groom, to go very early the next Morning to *Kenſington*, it was *Saturday* the 22th, and he was to go to one *Brown*, as he ſaid, that was concerned in the King's Kitchin or his Confectionary, and lived about two Doors above the Gate turning to the King's Houſe; and that he was to tell him he was Sir *W. Parkins* Servant, and that he came from a Man that lodged at a Confectioners Houſe over againſt *Grays-Inn*, which, by the Deſcription of the Perſon, will appear to be Sir *George Berclay*, and he would give him an Anſwer. The Man went accordingly about eight a Clock, and ſpoke with this *Brown*, and told him that he was Sir *W. Parkins*'s Man, and that he came from the Gentleman that lodged at the *Confectioners* over againſt *Grays-Inn*. *Brown* ſaid he had nothing to ſay to him, but bid him give him his Almanack, and wrote in it, that he would be in Town himſelf in two Hours, and bid him to carry that to the Man that lodged at the *Confectioners*'s. This Man you will hear was one of thoſe orderly Men lodged at *Kenſington* to give Notice; this Man went by the Name of *Chambers*, he will tell you what he was, he was a Scotchman, ſpoke very broad, by which it will appear very particularly and plainly it was Sir *George Berclay*. This Servant came back to his Maſter, Sir *W. Parkins* asked him what he had done; he told him that he had been at *Kenſington*, and that *Brown* had ſet it down in his *Almanack*, that he would be in Town himſelf in two Hours Sir *W. Parkins* bid him go to the Gentleman at the *Confectioner*'s, and tell him ſo much: and accordingly he went, and brought Word to Sir *W. Parkins*, that the Gentleman would be ready at home. Now you will find this was on *Saturday* Morning. About Eleven a Clock Captain *Porter*, with one Mr. *Lewis* that I mentioned before, came to the *George-Inn*; and there *Porter* asked this Groom one *Ewbank*, whether he had received above two Saddles or no, for there had been Orders given for two and twenty Saddles to be carried to the *George-Inn* by Sir *W. Parkins*'s Order to furniſh other Horſes beſides his, for Sir *W. Parkins* had told his Groom there were other Horſes of his Friends that ſtood there, and bid him take care to ſee them well fed. The 22th of *February* when they came thither, they thought there had been more Saddles delivered than thoſe two, and he asked his Groom if he had no more than two Saddles delivered; no, ſays he, I had but two. Now Gentlemen, by the Evidence you will ſee he had provided thirty Saddles, under the Notion of buying them for the uſe of the Marqueſs of Regiment; Then, ſays Sir *W. Parkins*, there is a miſtake, I have had but Two and Twenty of the Thirty, for there is but Two brought in here. This you will hear fully proved by the Evidence that will be given againſt the Priſoner. And that there may be no room to doubt but that the Priſoner was engaged in this horrid Conſpiracy, it will be proved to you by his Servants, ſo many of his Horſes coming up that day, with Piſtols and Jack-Boots, and other Arms, upon *Friday* at Four a Clock; and that on *Saturday*, after they were diſcovered and diſappointed, they ordered all away in great Hurry and Confuſion. I have opened and ſtated to you the nature of the Evidence, we ſhall call our Witneſſes and give you no further Trouble.

Call Captain Porter, (*who appeared and was ſworn*)

Mr. Attorn. Gen. Mr. *Porter*, will you give the Court and Jury an Account of your Meeting at the *King's-Head-Tavern* in *Leadenhall-ſtreet*, who were there, and what the Meeting was about, and what was there agreed upon?

Capt. *Porter*. About the latter End of *May*, or Beginning of *June*, we had two Meetings, one at the *Old King's-Head*, in *Leadenhall-ſtreet*, and the other at Mrs. *Mountjoys* at the *Wonder-Tavern* in *James's-ſtreet*. There was the Lord *Aylisbury*, Lord *Mountgomery*, Sir *Jo*

Freind, Sir *W. Parkins*, Sir *Jo. Fenwick*, Mr. *Charnock*, and one *Cook*, and my ſelf; Mr. *Goodman* came in after Dinner. There we conſulted which was the beſt way for the late King *James* to come in again; and all reſolved to ſend a Meſſenger over to him, to deſire him to procure of the French King 10000 Men, *viz.* 1000 Horſe, 1000 Dragoons, and 8000 Foot: Mr. *Charnock* ſaid, if you ſend me over, what ſhall I tell him you will do? We all promiſed him, if the late King would come over with ſuch a Number of Men, we would meet him at the Head of 2000 Horſe, whereſoever he would appoint us to meet him.

Mr. Attorn. Gen. Before you go upon the ſecond Meeting, did Sir *W. Parkins* agree to that Meſſage? By what Circumſtance do you know that he agreed to it?

Capt. *Porter.* Mr. *Charnock* ſaid he would not go upon a fooliſh Meſſage, and therefore did put it to them again what they would do; and we did all agree, every one, to be at the Head of 2000 Horſe to meet the late King *James* on his Landing.

Mr. *Cooper.* Did Sir *W. Parkins* agree to that?

Capt. *Porter.* Yes, Sir, he did.

Mr. Attorn. Gen. Where was the ſecond Meeting? Go on to that.

Capt. *Porter.* The ſecond Meeting was at Mrs. *Mountjoy's*, where Mr. *Charnock* was, and deſired to ſee us before he went away, and to know our Reſolutions, whether we were all agreed to what we had before reſolved; and we all promiſed him as before; and then he ſaid he would go in two or three Days.

Mr. Attorn. Gen. And did they agree to it?

Capt. *Porter.* Yes, they did.

Mr. Attorn. Gen. Did they agree to their former Reſolution taken at the firſt Meeting?

Capt. *Porter.* They did all agree to it.

Mr. Attorn. Gen. Who was there?

Capt *Porter.* I cannot ſay the Lord *Mountgomery* and Mr. *Goodman* were there, but all the reſt were there that were at the firſt Meeting.

Mr. Attorn. Gen. When did you ſpeak with Mr. *Charnock*?

Capt. *Porter.* Three or four days before I was brought to Priſon about the Riot, and he told me he had been with the Lord *Aylisbury* and Sir *W. Parkins*, and the reſt of them that ſent him, and brought ſeveral Meſſages from the late King *James* to them.

Mr. Attorn. Gen. Now give an Account of the Effect of that Meſſage.

Capt. *Porter.* Mr. *Charnock* told me, King *James* ſaid the French King could not ſpare ſo many Men that Year.

Mr. Attorn. Gen. Mr. *Porter*, give an account of the Deſign for aſſaſſinating of the King, and what part the Priſoner at the Bar had in it.

Capt. *Porter.* Some Weeks before I heard of this deſigned Aſſaſſination, I came to lodge at a Houſe in *Norfolk-ſtreet*, where Mr. *Charnock* lay, and Sir *W. Parkins* for the moſt part when he was in Town; and moſt commonly in an Evening Mr. *Charnock* and I uſed to go to drink a Bottle. One Morning I was going out, and met him, and ask'd him where I ſhould meet him at Night? He told me he ſhould be in private Company. Muſt not I be there, ſaid I? if it be not very private, let me go with you. No, ſays he, ſome Gentlemen are come over from *France*, and the Buſineſs is kept very private, there is ſomething going to be done. Then pray, ſaid I, let me be concerned in it. Says he, they ſee no body yet; in a little time you will hear more of it. A little while after I was taken with the Gout, and Mr. *Charnock* came to ſee me, and told me, Sir *George Berclay* was come from *France*, and ſeveral Officers with him, and that he had a Commiſſion from the late King *James* to raiſe and levy War againſt the Body, upon the Perſon of King *William*.

L. C. J. Holt. Who told you ſo?

Capt. *Porter.* Mr. *Charnock*. He ask't me whether I could procure any number of men? I ſaid a great many would, but I could not truſt them. Some days after they brought me to Sir *G. Berclay* and one *Homes*, a little while after I was got well of the Gout. And then there were ſeveral Meetings, one at the *Globe* Tavern, one at the *Nags-head*, where Sir *W. Parkins* was preſent, one at the *Sun* Tavern in the *Strand*, where we conſulted the beſt way to aſſaſſinate the King as he came from *Richmond*. Mr. *Charnock* told me, that Sir *G. Berclay* had received 800 *l.* of the Late King *James's* Secretary to buy Horſes and Furniture for the Expedition. Mr. *Charnock* asked me how many I could bring? he told me, he could bring in twenty. I told him I could bring ſeven or eight. Sir *W. Parkins* was to furniſh five Horſes, and to mount three of them with his own Men, and the other two were to be mounted with my Men, and Mr. *Charnock* was to mount the reſt.

Mr. Attorn. Gen. Do you know the Names of the men he was to mount?

Capt. *Porter.* I never had the Names of the men from himſelf.

Mr. Attorn. Gen. What was done in this Conſult?

Capt. *Porter.* I ask'd Mr. *Charnock* why I might not ſee the Commiſſion; he ſaid he never

ſaw

saw it himself, but Sir *W. Parkins* had seen it. I ask'd Sir *W. Parkins*, smoaking a Pipe, whether he had seen it; he told me he had seen and read it, that it was for raising of War against the Prince of *Orange*, and it was all written with his own hand.

Mr. Attorn. Gen. You went to view the Ground, did you not? Give an account of that.

Capt. *Porter.* One of us went on the other side of the Water to view the Ground, by a little Wood; and another went on this side the Water. Sir *George Barclay* was of opinion that it was best on the other side of the Water; he ordered one Captain *Knightly* to meet me and Capt. *King*; we three went to view the Ground; and when we came back to the *Nags-Head*, where was Sir *W. Parkins*, Mr. *Charnock*, and Sir *G. Barclay*, we told them we had view'd those places, and lik'd them very well.

Mr. *Attorn. Gen.* Was Sir *William Parkins* there at that Meeting?

Capt. *Porter.* Yes Sir, he was.

Mr. Attorn. Gen. Mr. *Porter*, give an account of the days you intended to do it.

Capt. *Porter. Saturday* the 15th and the 22d, the days the King used to go a Hunting.

Mr. Attorn. Gen. Was there any Man at *Kensington* to give notice?

Capt. *Porter.* Yes, there were two men; one of them had his Lodging at *Kensington*.

Mr. Attorn. Gen. What was his Name?

Capt. *Porter. Chambers:* and there was another man, a Fleming, who went every day to thrust himself among the Guards, to bring us Intelligence daily.

Mr. Attorn. Gen. What was the reason it was not executed the first day?

Capt. *Porter. Durant* brought us notice the Guards were gone; but afterwards notice was brought us that the King did not go; upon which we adjourned till the next day.

Mr. Attorn. Gen. What was the Method agreed upon?

Mr. *Porter.* The Method was this. One *Rookwood*, that came out of *France* upon this Expedition, to head another Party, mounted upon Sir *G. Barclay*'s Horse, Sir *G. Barclay* and my self were to mount those Horses sent us by Sir *W. Parkins*, and we were to attack the Guards and the King's Coach.

Mr. Attorn. Gen. When was the next Meeting, after you were disappointed?

Capt. *Porter.* It was upon *Friday* before the 22d, at the *Sun* Tavern in the *Strand*.

Mr. Attorn. Gen. Who was there at that Meeting?

Capt. *Porter.* No body but Sir *G. Barclay*, Mr. *Charnock*, Sir *W. Parkins*, and my self.

Mr. Attorn. Gen. And what was discoursed of then?

Capt. *Porter.* Sir *W. Parkins* came in, and told us the thing was discovered. I said, I cannot fancy it could be discovered, for we could not have been there if it had been known; and thereupon we resolved to go on with it again: And I asked Sir *W. Parkins* if his Horses were in Town? and he said they were to come that night. Said I, my Horses are one sick, and another lame. Said Sir *W. Parkins*, if I had known that, I could have brought more Horses out of the Country; but just now I have sent to Mr. *Lewis*, Master of the Horse to the Lord *Feversham*, I believe he will help me to more Horses. And I sent a note to Sir *W. Parkins* for two Horses to mount my men upon; and he sent me two Horses, and told me Mr. *Lewis* would help me to two or three more, all three lusty Horses; one was accoutred with Pistols, and the other had only Saddles.

Mr. Attorn. Gen. Did you see Sir *W. Parkins*?

Capt. *Porter.* I did not see him the 22d: Some of us did meet at the *Blue Posts* at *Spring-Garden*, and having notice that the thing was discovered, I went out of Town.

Mr. Attorn. Gen. Have you ever heard that Sir *W. Parkins* had a Commission from the late King *James*?

Capt. *Porter.* I heard Mr. *Charnock* ask him one Night why *Scudmore* and the rest would not go? Said he, they do not go, because I do not go; and I have other business to do, I have a Regiment to look after.

Mr. Attorn. Gen. Then the Prisonner was to be one of the number to Assassinate the King.

Capt. *Porter.* Not in Person, for he said he had other business to look after.

L. C. J. Holt. Mr. *Porter*, how many Horses had you from Mr. *Lewis*?

Capt. *Porter.* I had none; but only Sir *W. Parkins* sent me word, if I wanted any I might have three; for I told him I would have none till I heard the King went.

L. C. J. Holt. Had you a Note for the three Horses?

Sir *W. Parkins.* Not from me.

Capt. *Porter.* Mr. *Cranborn* told me he had a Note; I do not say I had a Note.

Mr. Att. Gen. Sir *William*, will you ask the Witness any Questions?

Jury-man. We are desirous to know, whether at any of the Meetings the Discourse was to Assassinate the King?

Capt. *Porter.* At all the Meetings.

L. C. J. Holt. Did Sir *W. Parkins* discourse of the Assassination himself? What did he say when such Discourses were had?

Capt.

Capt. *Porter*. I cannot say particularly what he said: But he agreed to it, and said it was very neceſſary to be done, in order to the bringing in the late King the more eaſily; but he had other buſineſs to do, and could not be there himſelf.

Mr. Attorn. Gen. Will you ask him any Queſtions?

Mr. *Baker*. Captain *Porter*, ſtand down.

Then Adrian Sweet *was ſworn.*

Mr. Sol. Mr. *Sweet*, will you give the Court and Jury an account what Sir *W. Parkins* ſaid to you about the late King *James*'s landing?

Mr. Attorn. Gen. What you know of the Priſoner relating to that, and what Diſcourſe you had about the late King *James*'s landing.

Mr. *Sweet*. He told me he did expect the late King *James*'s landing this Summer; and Sir *W. Parkins* did ſay his own Troop was compoſed of old Soldiers.

Mr. Attorn. Gen. Let me ask you a little: How long have you known Sir *W. Parkins*?

Mr. *Sweet*. About three years.

Mr. Attorn. Gen. What time was this Diſcourſe?

Mr. *Sweet*. About *Chriſtmas* laſt.

Mr. Attorn. Gen. Where was it?

Mr. *Sweet*. At his own Houſe.

Mr. Attorn. Gen. What was it he ſaid to you about this matter?

Mr. *Sweet*. We were talking of the late King *James*'s coming.

L.C.J. Holt. What did he ſay?

Mr. *Sweet*. He ſaid he had bought 30 Saddles, and that his own Troop was compoſed of all old Soldiers.

Mr. Attorn. Gen. But did he tell you of any Aſſurance he had of King *James*'s landing?

Mr. *Sweet*. Yes, he ſaid he had the King's word for it.

Mr. Attorn. Gen. Was there any Diſcourſe of his going into *Leiceſterſhire*?

Mr. *Sweet*. Yes, he told me he was going into *Leiceſterſhire* to meet ſome Friends, and he did go: for afterwards he told me he had met them, and that all was well, and that the *Weſt* was as well inclined to K. *James*'s Intereſt as the *North*, and that a Lord's Brother was concerned.

Mr. Attorn. Gen. What other Diſcourſe had you about this matter?

Mr. *Sweet*. Nothing more as to particulars.

Mr. Attorn. Gen. What Orders had you to come up to Town? why do not you tell it?

Mr. *Sweet*. I will as ſoon as I can. Sir *W. Parkins* ſent me a Letter about the 11th of *February*, that I ſhould come to him the next day, and I came the next day to Sir *William*, into *Norfolk-ſtreet*.

Mr. Attorn. Gen. Where was it?

Mr. *Sweet*. At Mrs. *Knoxes*, where Mr. *Charnock* lodged. He told me the buſineſs he had deſigned for me, he did not think fit I ſhould do, becauſe of my Family.

Mr. *Attorn. Gen.* What directions had you from him when you went into the Country?

Mr. *Sweet*. He gave me orders to go to his Lady with Directions to ſend up three of his ſtrongeſt Horſes.

Mr. Attorn. Gen. When was this?

Mr. *Sweet*. In *February*, about the 11th or 12th day. And at my going away Sir *W. Parkins* told me, if I had not a Letter from him the *Friday* following, I ſhould come to Town again; and he askt me if I had made proviſion for my Family; I told him I had not: Thereupon he was angry, and ſaid I might go into the Country again then.

Mr. Attorn. Gen. When was this?

Mr. *Sweet*. *Friday* night or *Saturday* morning.

Mr. Attorn. Gen. What day of the Month?

Mr. *Sweet*. The 13th or 14th.

L.C.J. Holt. You ſay you came *Wedneſday* the 11th: *Wedneſday* was the 12th.

Mr. *Sweet*. I came on *Friday* night, on *Saturday* morning I went home again.

Mr. Attorn. Gen. But on *Saturday* morning, who did you ſpeak with? Did you ſpeak with Sir *W. Parkins*?

Mr. *Sweet*. He left order I ſhould come again at Eleven a Clock. There I met one *Chambers*, whom I ſaw the night before, and one *Lee*.

Mr. Attorn. Gen. You ſaw them the night before?

Mr. *Sweet*. Yes, I ſaw them.

Mr. Attorn. Gen. What diſcourſe had you with them?

Mr. *Sweet*. None, but in the Morning.

Mr. Attorn. Gen. What Diſcourſe had you in the Morning?

Mr. *Sweet*.

Mr. Sweet. Mr. *Chambers* told me he had been at *Kenſington*, and ſaw Sir *William*, and ſhewed me his Wounds, and ſaid thoſe Wounds were ſore, and called for Revenge.

Mr. Attor. Gen. Where did he tell you he was wounded?

Mr. Sweet. At the *Boyn*.

Mr. Soll. Gen. You ſay Sir *William Parkins* told you his Troop conſiſted of all Old Souldiers, did he tell you what uſe his Troop was for?

Mr. Sweet. I underſtood for what uſe, he did not tell me.

Mr. Cooper. Where did you Dine that Day?

Mr. Sweet. I Dined with Sir *William Parkins*, Mr. *Charnock*, Mr. *Chambers*, and one or two more that I did not know.

Mr. Attor. Gen. Sir *William*, will you ask him any Queſtions?

Sir W. Parkins. Did I tell you Mr. *Sweet* I had a Troop of Horſe?

Mr. Sweet. I will name your own words, and no other; you ſaid your own Troop was compoſed of Old Souldiers.

L. C. J. Holt. How many Horſes?

Mr. Sweet. I do not hear.

L. C. J. Holt. How many Horſes was you to bid his Man to bring to Town?

Mr. Sweet. Three.

L. C. J. Holt. Was it three of his ſtrongeſt Horſes?

Mr. Sweet. Yes, my Lord, three of his ſtrongeſt Horſes.

Mr. Attor. Gen. Did he ſay any thing of Volunteers to joyn with him?

Mr. Sweet. Yes, he did ſay he knew ſome Old Officers who would be Volunteers, and would go with him.

Sir Wil. Parkins. Where were theſe words ſpoken?

Mr. Sweet. In your Garden.

Sir Wil. Parkins. In what County?

Mr. Sweet. In *Hartfordſhire*.

Sir Wil. Parkins. Then, my Lord, I deſire your Judgment, whether words ſpoken in *Hartfordſhire*, will affect me here?

L. C. J. Holt. If there be a Deſign againſt the King, and there be ſeveral Overt Acts, ſome of them committed in one County, and others in another, the Party may be Indicted in either of the Counties; and then the Overt-Act done in one County, may be given in Evidence in the other: And in this Caſe it is requiſite there ſhould be ſome Evidence of an Overt-Act in *Middleſex*, as there is of ſeveral Meetings at ſeveral Taverns, in *Hatton-Garden* at the *Globe*, the *Sun-Tavern*, and the *Naggs-Head*. Now theſe Conſults are Overt-Acts, but ſtill of the ſame Treaſon; and if a Treaſon be committed in ſeveral Counties, the Priſoner may be Indicted in any one of theſe Counties.

Sir W. Parkins. Mr. *Sweet*, you did not ſay that I told you I had raiſed a Troop, or would raiſe a Troop.

L. C. J. Holt. But he does tell you farther, he was with you, and had Diſcourſe with you in *Norfolk-Street*, where you were in Company with Mr. *Charnock*, and others.

Sir Wil. Parkins. I do not obſerve that Mr. *Sweet* ſaid any thing of me in *Norfolk Street*.

Mr. Attor. Gen. You told him that you had ſome particular buſineſs for him, but that you would have pity upon his Family.

Mr. Attor. Gen. Sir *William*, will you ask him any more queſtions?

Sir Wil. Parkins. No, Sir.

Mr. Attor. Gen. Call *Ewbank*. He appeared, and was Sworn.

Mr. Attor. Gen. Do you know Sir *William Parkins*?

Mr. Ewbank. I was his Servant, a Groom to him.

Mr. Attor. Gen. For how long?

Mr. Ewbank. Not a Twelvemonth.

Mr. Attorn. Gen. Give an account what Journey you took with Sir *William Parkyns* about *Chriſtmas* laſt.

Mr. Ewbank. In *January* laſt I went with him into *Leiceſter* Shire. We went from his own Houſe at *Stony-Stratford*, and lay there all Night.

Mr. Attor. Gen. What time was this?

Mr. Ewbank. I do not know what time exactly.

Mr. Attor. Gen. What Day of the Week?

Mr. Ewbank. On *Thurſday*.

Mr. Attor. Gen. Whither did you go from *Stony-Stratford*?

Mr. Ewbank. The next Night we went to *Leiceſter*.

Mr. Attor. Gen. And what Gentlemen went with him?

Mr. Ewbank. One Captain *Scudmore*.

Mr. Attor. Gen. You went the next day to *Leiceſter*; how long did you ſtay?

Mr. Ewbank. 'Till *Sunday* Morning.

Mr. Attor. Gen. What Company did you obſerve came to him?

Mr. Ewbank. I knew none of them, I was never there before; there was one *Tarbury*, his Man ſaid.

Mr. Attor. Gen. Whence came he?

Mr. Ewbank. Out of *Yorkſhire*.

Mr. Attor. Gen. Was there another?

Mr. Ewbank. There was one in black Cloaths, they ſaid he was a Miniſter.

Mr. Attor. Gen. Did you ſee any other?

Mr. Ewbank. I was much about my Horſes, I knew no body there.

Mr. Attor. Gen. But did you ſee any body come?

Mr. Ewbank. It was Market day, and ſeveral came up and down Stairs, whether they went to my Maſter or no, I cannot tell.

Mr. Attor. Gen. Whither did you come when you came back from *Leiceſter-ſhire?*

Mr. Ewbank. To a Town called *Suſa*.

Mr. Attor. Gen. When came you back to *Buſhy?*

Mr. Ewbank. The Night following.

Mr. Attor. Gen. Who came with you?

Mr. Ewbank. Captain *Scudmore*.

Mr. Attor. Gen. What time did you come back?

Mr. Ewbank. About Eight a Clock on *Monday* Night.

Mr. Attor. Gen. After this, when did you bring up Horſes to the *George Inn* for your Maſter, and how many?

Mr. Ewbank. Three Horſes.

Mr. Attor. Gen. What time was the firſt?

Mr. Ewbank. Sometime after that, I do not know exactly.

Mr. Attor. Gen. What day of the Week?

Mr. Ewbank. Upon *Friday*.

Mr. Attor. Gen. What Month was it in?

Mr. Ewbank. I do not remember.

Mr. Attor. Gen. Was it *Valentine's* day?

Mr. Ewbank. Yes, my Lord.

Mr. Attor. Gen. Where did you bring them?

Mr. Ewbank. To the *George-Inn*.

Mr. Attor. Gen. Where? *Mr. Ewbank.* In *Holbourn*.

Mr. Attor. Gen. Were there any Piſtols?

Mr. Ewbank. No, they were left in Town.

Mr. Attor. Gen. Where were they left?

Mr. Ewbank. I do not know.

Mr. Attor. Gen. When you came to Town with thoſe three Horſes, did you go to your Maſter preſently, and acquaint him with it?

Mr. Ewbank. Yes, I did. *L. C. J. Holt.* What ſaid he?

Mr. Ewbank. He ſaid he thought he ſhould go home that Night.

Mr. Attor. Gen. Did he go home, or did he change his mind?

Mr. Ewbank. We did not go 'till *Monday*.

Mr. Attor. Gen. Did he ſay he ſhould go on *Saturday*.

Mr. Ewbank. He then ſaid he would go home that Night.

Mr. Attor. Gen. When did he go?

Mr. Ewbank. On *Monday*.

Mr. Attor. Gen. Who went with him?

Mr. Ewbank. Major *Homes*, a fat thick Man.

Mr. Attor. Gen. He went home with him on *Monday*, did he?

Mr. Ewbank. Yes, Sir.

Mr. Attor. Gen. When did he come to Town again?

Mr. Ewbank. On *Friday* Morning.

Mr. Attor. Gen. How many Horſes did you bring up then?

Mr. Ewbank. Four Horſes.

Mr. Att. Gen. Who came with him then?

Mr. Ewbank. Major *Homes*, and I, and another Servant.

Mr. Att. Gen. How were thoſe Horſes furniſhed?

Mr. Ewbank. With Piſtols; every Horſe had Piſtols.

Mr. Att. Gen.

Mr. Att. Gen. How were they furniſhed beſides?

Mr. Ewbank. Nothing beſides.

Mr. Att. Gen. Did you bring any Boots?

Mr. Ewbank. None.

Mr. Att. Gen. Where did you leave thoſe Horſes on *Friday* Night?

Mr. Ewbank. At the *George* Inn.

Mr. Att. Gen. What Directions had you from your Maſter that Night, to go any where the next Morning?

Mr. Ewbank. One came to me, and ſaid, I muſt go to *Kenſington* to one *Brown*.

Mr. *Att. Gen.* Tell whom you were to go to.

Mr. *Ewbank.* To one *Brown*.

Mr. *Att. Gen.* What did he tell you that *Brown* was?

Mr. *Ewbank.* He ordered me to go to ſuch a place.

L. C. J. Holt. What place?

Mr. *Ewbank.* To a Houſe within a Door or two of the Gate that goes to the King's Houſe to one *Brown*.

Mr. Att. Gen. Did he ſay he belonged to the King's Kitchin?

Mr. Ewbank. The Man lay there, and the Man where he lodged belonged to the King's Kitchin.

Mr. Att. Gen. What was your Meſſage?

Mr. Ewbank. It was, that I was to tell him, I came from a Gentleman that lay at the Confectioners in *Holbourn*, I knew the Gentleman's Face.

Mr. Att. Gen. What did he ſay to you?

Mr. Ewbank. He bid me ſet up my Horſe at the *Red Lion*, and he would come to me preſently, ſo I called for a Tankard of Ale; and when he came, I have, ſays he, no Buiſneſs to ſend; but he writ in my Almanack, I will come to Town at 9 or 10 a Clock.

Mr. Att. Gen. Did you go back to him?

Mr. Ewbank. Yes, I did, and told him what *Brown* had ſet down in my Almanack.

Mr. Att. Gen. What Man was that, what ſized Man, what manner of Man?

Mr. Ewbank. A luſty man, a great Noſe, wide Mouth, ſwarthy Coloured.

Mr. Att. Gen. What Age?

Mr. Ewbank. A middle aged Man.

Mr. Att. Gen. What did he ſay to you?

Mr. Ewbank. He asked me if I had been at *Kenſington*? I ſaid, yes; and that Mr *Brown* had writ in my Almanack, he would be in Town at Nine or Ten a Clock. He askt me whether I was going? I ſaid to my Maſter; and he bid me tell my Maſter, he would be at his Chamber at Nine or Ten a Clock.

Mr. Att. Gen. What ſaid your Maſter to you?

Mr. Ewbank. He bid me get the Horſes ready, for he would go home about two or three a Clock in the Afternoon.

Mr. Att. Gen. What time came your Maſter to the Inn?

Mr. Ewbank. About 12 or 1 a Clock.

Mr. Att. Gen. Who came with him?

Mr. Ewbank. One *Lewis*.

Mr. Att. Gen. Did you know him? What is he?

Mr. Ewbank. I had ſeen him before.

Mr. Att Gen. What did he ſay he was?

Mr. Ewbank. My Lord *Feverſham*'s Gentleman of his Horſe.

Mr. Att. Gen. What Diſcourſe was there at the ſame time? What did your Maſter ſay about Saddles?

Mr. Ewbank. He asked what Saddles were brought. I told him two, and ſaid they were the Gentlemans I left with him.

Mr. Att. Gen. What did Mr. *Lewis* ſay then?

Mr. Ewbank. He ſaid there was ſome miſtake then, for he ſaid he thought there were more.

Mr. Att. Gen. How many were there in all, did he ſay?

Mr. Ewbank. Four and Twenty.

Mr. Att. Gen. Did Mr. *Lewis* or Sir *William Parkins* ſay four and Twenty?

Mr. Ewbank. Sir *William Parkins* did not ſay how many there were of them, but *Mr. Lewis* ſaid there were four and Twenty; to the beſt of my knowledge.

L. C. J. Holt. Where were thoſe Saddles?

Mr. Ewbank. I do not know, my Lord, I ſaw them not.

Mr. Att. Gen. What were the two Saddles for?

Mr. Ewbank.

Mr. Ewbank. For two Horſes, Sir.

Mr. Att. Gen. Who delivered them to you?

Mr. Ewbank. Sir *William Parkins.*

Mr. Att. Gen. Where did they ſtand?

Mr. Ewbank. At the *Gorge Inn*, they were two Gentlemens Saddles.

Mr. Att. Gen. For what Horſes were they?

Mr. Ewbank. For Horſes that were not my Maſters.

Mr. Att. Gen. Did he ſpeak any thing to you of the Horſes?

Mr. Ewbank. He bid me ſee the Hoſtler give them ſome Corn.

Mr. Att. Gen. Were they your Maſters Horſes?

Mr. Ewbank. Not that I know of.

Mr. Att. Gen. Did your Maſter give you thoſe two Saddles?

Mr. Ewbank. There were thoſe two Saddles, I might take them up; my Maſter bid me ſee the Hoſtler give the two Horſes their Corn.

Mr. Att. Gen. Were they not your Maſters Horſes?

Mr. Ewbank. Not that I know of.

Mr. Att. Gen. When did you go out of Town with thoſe Horſes?

Mr. Ewbank. About Four a Clock in the Afternoon.

Mr. Att. Gen. After this, when did you hear from your Maſter next?

Mr. Ewbank. On *Monday* after I had a Letter from him.

Mr. Att. Gen. What was that Letter for?

Mr. Ewbank. To go into *Warwickſhire*, to one *Evans* his Servant.

Mr. Att. Gen. Did he tell you what it was for?

Mr. Ewbank. I did not read it, it was ſealed.

Mr. Att. Gen. Did you carry that Letter?

Mr. Eubank. Yes, I did.

Mr. Att. Gen. When?

Mr. Eubank. I came to him on *Tueſday* about Four a Clock.

Mr. Att. Gen. What did *Evans* and you do after that Letter was deliver'd?

Mr. Ewbank. Evans went and fetched ſome Boxes from one *Mr. Heywoods* two Miles off.

Mr. Att. Gen. Did you go with *Evans* to fetch thoſe Boxes?

Mr. Ewbank. No Sir.

Mr. Att. Gen. Who bid you go with him?

Mr. Ewbank. Why, there was a Man drove the Team, he was a Stranger.

Mr. Att. Gen. Was you there, when they brought theſe Goods back?

Mr. Ewbank. Yes, I was.

Mr. Att. Gen. What did they do with them?

Mr. Eubank. They buried them in the Garden.

Mr. Att. Gen. In the Boxes?

Mr. Ewbank. Yes Sir.

Mr. Att. Gen. How many Boxes were there?

Mr. Ewbank. I think five or ſix. I did not know what was in them.

Mr. Att. Gen. Did you help to bury them?

Mr. Ewbank. No, I did not help to bury them; but my Brother *Evans* told us they were choice Goods, I did not know what.

L. C. J. Holt. What time of the Day or Night were the Boxes fetched by *Evans* from Mr. *Heywoods*?

Mr. Ewbank. They went away about four in the *Afternoon.*

Mr. Att. Gen. How far is Mr. *Heywood*'s Houſe from Sir *William Parkins* Houſe in *Warwickſhire*?

Mr. Ewbank. About four miles.

Mr. Att. Gen. What time did they return?

Mr. Ewbank. About 10 or 11 a Clock at Night.

Mr. Att. Gen. Did they Bury them then?

Mr. Ewbank. Yes, I did ſee them buried.

Mr. Att. Gen. Why did they bury them?

Mr. Ewbank. Becauſe they ſaid they were choice Goods.

Jury Man. My Lord, I underſtand he ſaid he ſaw them buried.

Sir *William Parkins*, Did you ſee them buried?

Mr. Ewbank. I ſaw ſome Earth put upon them, but they put more the next Morning.

Mr. Att. Gen. I will only ask you one Queſtion. That Perſon at the Confectioners, had he a lame Arm, or no?

Mr. Ewbank. I did not perceive it.

Mr. Attor. Gen. Sir, will you ask him any more Queſtions?

Sir

Sir *W. Parkins.* He ſays, Mr. *Homes* went out of Town with me; you would inſinuate as if it were Major *Homes* in the Proclamation; who was it? Was it not Mr. *Homes* in *Holborn?* was he not all laſt Summer at my Houſe?

Mr. *Ewbank.* Yes Sir, he was.

Mr. Att. *Gen.* You do very well to explain it. Have you any more queſtions to ask him?

Sir *W. Parkins.* No Sir.

Mr. *Baker.* Call *Hipwell.* He appears, and is ſworn.

Mr. Att. *Gen.* Is your Name *Hipwell?*

Hipwell. Yes Sir. Mr. Att. *Gen.* Where do you live?

Hipwell. In *Warwick ſhire.* Mr. Att. *Gen.* Who do you live with?

Hipwell. Of my ſelf Sir.

Mr. Att. *Gen.* Is your Name *Hipwell?* *Hipwell.* Yes Sir.

Mr. Att. *Gen.* Do you know any thing of any Goods carried from Mr. *Heywood's* Houſe to Sir *Will. Parkins?* Give an account of what you know of that matter.

Hipwell. I came from *Lichfield* Fair from my Houſe to my Maſter on *Wedneſday.*

Mr. Att. *Gen.* You ſaid you had no Maſter; Is he your Maſter?

Hipwell. He is my Maſter when he pleaſes.

Mr. Att. *Gen. Hipwell,* pray give an account of what you know of Goods carried from Mr. *Heywood's* Houſe, and who came for them.

Hipwell. There was, to my beſt remembrance, either ſeven or eight Boxes.

Mr. Att. *Gen.* Who came for them?

Hipwell. There came one of his Men, one *Richard,* and one *Whetſtone,* and one *Marſtone.*

Mr. Att. *Gen.* What was *Whetſtone?*

Hipwell. He was a Tenant of Sir *Will. Parkins's.*

Mr. Att. *Gen.* What did they bring to carry the Goods?

Hipwell. A Waggon and two Mares.

Mr. Att. *Gen.* What time was this?

Hipwell. It was, to my beſt remembrance, about nine or ten at Night.

Mr. Att. *Gen.* What did you do there? What Orders had you from your Maſter?

Hipwell. My Maſter, when I came home, it was near ſeven a Clock, and he gave me order to go to *Sowe* to borrow a Mare of one *Jo. Biles,* and I brought that Mare which I borrowed, with me home.

Mr. Att. *Gen.* What was that Mare borrow'd for?

Hipwell. I know not.

Mr. Att. *Gen.* What uſe was there made of her afterwards?

Hipwell. Before the Team came to fetch theſe Goods, which was about nine or ten at Night; my Maſter told me Sir *Will. Parkins's* Man was to come to fetch Bedding and other Goods, what they were he knew not; and gave me order, when he knockt at the Gate, I ſhould let him in.

Mr. Att. *Gen.* What were the Goods in?

Hipwell. They were firſt in 3 Boxes, and then Sir *W. Parkins's* Man did knock off the outſide Lining of the Boxes, which were Deal-boards, and took out of two Boxes three leſſer Boxes, and two out of another; I think there were eight, I am not ſure whether ſeven or eight.

Mr. Att. *Gen.* Did they carry them away that Night?

Hipwell. They did carry them away that Night; Sir *W. Parkins's* Man, his Name was *Richard,* and *Whetſtone,* they carried them away with them; I lighted them down with a Candle and Lanthorn.

Mr. Att. *Gen.* And this, you ſay, was *Aſh-wedneſday* at Night?

Hipwell. It was *Aſh wedneſday* at Night.

Mr. Soll. *Gen.* Sir *William,* will you ask him any queſtions?

Sir *William Parkins.* No.

Mr. *Baker.* Call Mr. *Heywood.* He appeared, and was ſworn.

Mr. Att. *Gen.* Mr. *Heywood,* give an account to the Judge and Court of what you know of any Goods of Sir *Will. Parkins* lodged at your Houſe, and of a Letter directed to you about them.

Mr. *Heywood.* Sir *William Parkins's* Man came to me about *Michaelmas* laſt, with a Letter from one Mr. *Charnock*; the Effect of it was, To deſire me to lodge ſome Goods at my Houſe, becauſe he was taking his Servants from his own Houſe, and was loth to leave them in an empty Houſe; and therefore he deſired me to lodge them in my Houſe, which I did.

Mr. Att. *Gen.* What were the Goods put up in? How were they put up?

Mr. *Heywood.* I think, in three Cheſts, pretty big Cheſts, and they were laid up together. There was Bedding, and a Piece of Tapeſtry or two, as I remember.

Mr. Att. *Gen.* Did that Letter come from Mr. *Charnock*?

Mr. *Heywood.* Sir *William Parkins*'s Man brought it; his Name was *Richard Evans*, I think.

Mr. Att. *Gen.* What Relation was Mr. *Charnock* to you?

Mr. *Heywood.* I married his Siſter.

Mr. Att. *Gen.* And you took thoſe Goods upon that Letter, upon his Recommendation?

Mr. *Heywood.* Yes Sir.

Mr. Att. *Gen.* Now give an account whether you did not ſee Mr. *Charnock* before *Aſh-wedneſday*, and what Diſcourſe there was between you about theſe Goods.

Mr. *Heywood.* I came up to *London* upon the 16th day of *February*, and was in *London* the 17th, 18th, 19th. and when I was in Town, I went to Mr. *Charnock* to his Lodgings: I was hardly half a quarter of an hour with him, but I told him, Sir I *William Parkins* had Goods at my Houſe; and I asked him when he would fetch them away? As near as I can remember, theſe were the words. Said I, I cannot ſtay; when ſhall I ſee you again? Said he, I ſhall have buſineſs at the *Temple*, and will meet you at the *Temple Coffee-houſe*, and bring Sir *William Parkins* along with me; which he did. They came to me about Eight or Nine a Clock on *Tueſday* Morning; I think it was about Nine. Says he, Sir *William Parkins* is at my Lodgings, juſt going out of Town, and would deſire to ſee you. And I went, and there Sir *William* was, and ready to go out of Town. I told him, he had Goods at my Houſe, and asked him what he would do with them? When he would take them away, or diſpoſe of them? He ſaid, the firſt opportunity; or to that effect.

L. C. J. *Holt.* When was this? Mr. *Heywood.* In *February* laſt.

L. C. H. *Holt.* What time?

Mr. *Heywood.* The middle of *February*; I think it was about the 18th day.

L. C. J. *Holt.* Did you deſire the Goods might be removed?

Mr. *Heywood.* I asked him when he would take them away? And he ſaid he would take them away the firſt opportunity, or to this effect.

Mr. *Att. Gen.* When was the time they came for them?

Mr. *Heywood.* I think his Man came to my Wife on *Shrove-Tueſday*, as near as I can remember, as my Wife ſaid when I came home: And ſhe ſaid my Husband is not at home, but you may have them away when you will. And ſo the Man went away, and came again the next Night, which was *Aſh-Wedneſday*. I came home from a Fair about five or ſix a Clock, and the Man came about ſix or ſeven, and ſaid, my Maſter deſires to have the Goods away. I asked him when? He ſaid, To Night. Said I, it is a very unſeaſonable time, to fetch them away to Night; let them lye till the Morning. Says he, the Waggon is coming, let me have them to Night; which I did. He ſaid he had but two Horſes, and deſir'd me to lend him a Horſe, which I did; and I order'd my Servant to deliver the Goods; which he did, and they took them away: What was done with them afterwards I know not.

Mr. *Baker.* Call *Whetſtone.* Who appear'd, and was ſworn.

Mr. *Att. Gen.* Pray give an account when you went with a Team to Mr. *Heywoods* Houſe, and what you know of that Matter.

Whetſtone. I was at Work, and his Man came to me.

Mr. *Att. Gen.* Whoſe Man?

Whetſtone. Sir *William Parkins*'s Man. And he deſir'd I would go with him to Mr. *Heywood*'s Houſe for ſome Goods and Bedding; which I did: Says he, I will go the next way to the Houſe, and do you go with the Team; and ſaid, I muſt not come to the Houſe till it was later; and ſo there he ſtopp'd me.

L. C. J. *Holt.* Who told you ſo?

Whetſtone. Sir. *Will. Parkins*'s Man. So he went forward to the Gate, and then came back, and called me to come on. So I came to the Houſe and loaded the Boxes and the Bedding that was there.

Mr. *Att. Gen.* How many Boxes were there?

Whetſtone I cannot tell whether ſeven or eight.

Mr. *Att. Gen.* Whither did you carry them?

Whetſtone. To Sir *William Parkins*'s Houſe.

Mr. *Att. Gen.* What did they do with them there?

Whetſtone. They carried them away, and threw them into the Ground.

Mr. *Att. Gen.* Where?

Whetſtone. By the Wall ſide, where they were found.

Mr. Att. *Gen.* were you preſent when theywere found?

Whetſtone.

Whetſtone. Yes, Sir, I was.

Mr. *Att. Gen.* Then you can give an account of thoſe choice Goods, what they were. Give an account what they were.

Whetſtone. They were Arms.

Mr. *Att. Gen.* How many?

Whetſtone. I have forgot.

Mr. *Att. Gen.* Call Mr. *Wats* the Conſtable to give an account of that.

Mr. *Watts* appeared, and was Sworn.

Mr. *Att. Gen.* Mr. *Wats*, was you preſent when Sir *William Parkins*'s Houſe was Searched?

Mr. *Watts.* Yes, Sir, I was.

Mr. *Att. Gen.* What did you find in Sir *William Parkins*'s Garden?

Mr. *Watts.* Arms.

Mr. *Att. Gen.* What quantity of Arms?

Mr. *Watts.* Four dozen of Sword, Twenty four Carbines, Twenty five Caſes of Piſtols.

Mr. *Att. Gen.* What kind of Swords were they?

Mr. *Watts.* They were broad Swords, two-edged Swords.

Mr. *Att. Gen.* Were they Hilted?

Mr. *Watts.* They were not, but there was a Box of Hilts for them.

Mr. *Att. Gen.* Where did you find them?

Mr. Watts. In a Border, under the Wall.

Mr. *Att. Gen.* Whoſe Wall?

Mr. *Watts.* Sir *William Parkins*'s Wall.

Mr. *Att. Gen.* Did you ſee the Boxes broke open?

Mr. *Watts.* Yes, Sir, I did, I had them all at my Houſe.

Mr. *Att. Gen.* Was you by when they were broken open?

Mr. *Watts.* I was not there at firſt, but afterwards when they were broke open I was: The Company that was there, broke them open, and brought them to my Houſe.

Mr. *Att. Gen.* He had them in his Houſe; he is the Conſtable. Sir *William*, if you will ask theſe Men any Queſtions, do.

Call *Turtle*, *Freeman.* and *Bedding*

Mr. *Baker.* Which will you have firſt?

Mr. *Att. Gen.* Mr. *Freeman.*

who was Sworn.

Mr. *Att. Gen.* Mr. *Freeman*, Where do you live?

Freeman. At the *George* Inn in *Holbourn.*

Mr. *Att. Gen* What are you there?

Freeman. An Hoſtler.

Mr. Att. *Gen. Freeman*, do you give an account what Horſes have been kept there of Sir *William Parkins*'s, and what time he was a Gueſt to the Houſe.

Freeman. My Lord, he was a Gueſt to the Houſe all laſt Summer, before I came to the Houſe, ſeveral times, ſometimes more, ſometimes leſs.

Mr. Att. *Gen.* But this laſt Winter, give an account about *February* laſt, what Horſes, and what time.

Freeman. Sometimes there were three Horſes, ſometimes four, ſometimes five; the moſt that ever he had was five.

Mr. Att. *Gen.* When did the Five come in? What time was that he had five?

Freeman. To my beſt remembrance, the five were the Week before this Stir; the Week before the Plot broke out.

Mr. Att. *Gen.* The Week before the Proclamation? *Freeman.* —Yes Sir.

Mr. Att. *Gen.* What Day was it?

Freeman. On *Friday* Night.

L. C. Juſt. *Holt.* How many? Five?

Freeman. Yes, my Lord.

Mr. Att. *Gen.* Who came with them?

Freeman. I ſaw none but the Groom, and one of his own Servants, I ſaw no other.

Mr. Att. *Gen.* How were they accoutred?

Freeman Four of them with Holſters and ſmall Piſtols, and the other a red Mare with a Port-Mantle, and the Horſe-Cloth wrapt up with one or two pair of Jack-boots, and ſome Collers, and a Horſe-Cloth, and I know not whether there were a Bridle or two.

Mr. Att. *Gen.* When did theſe Horſes go away again?

Freeman. Saturday in the Afternoon.

Mr. Att. *Gen.*

Mr. Att. *Gen.* And did you obſerve any Perſons on *Saturday* morning?

Freeman. There were two men mounted two of the Horſes, who went out with the Horſes two or three Hours: They went out about Nine or Ten, and returned between Twelve and One.

Mr. Att. *Gen.* And what did you obſerve, nothing at all?

Freeman. Nothing, but that they had rid very hard, the Horſes were very hot. I know not where they had been, the Horſes were very Sweaty.

Mr. Att. *Gen.* Do you remember what Horſes were brought up the Week before?

Freeman. Yes. Mr. Att. *Gen.* How many were they?

Freeman. Two or three. They very ſeldom ſtayed a Night; if they ſtayed a Night it was a great chance indeed.

Mr. Att. *Gen.* Can you remember thoſe that came the Week before, how long they ſtay'd there?

Freeman. There were three very good Horſes ſtayed a Week.

Mr. Att. *Gen.* Did they come in no name?

Freeman. The Gentleman that brought the Horſes paid the Bill; only the Groom told me, Sir *William Parkins* ordered they ſhould be well fed; but whether they were his Horſes or no I know not; I never received any Mony of Sir *William Parkins*, all the while they were in the Stable; the Groom always paid me.

Mr. Att. *Gen.* But did you never obſerve a Roan Horſe that came in the Day before?

Freeman. Yes, there was. Mr. Att. *Gen.* From whence came that Horſe?

Freeman. From *Mountague* Houſe.

Mr. Att. *Gen.* You miſtake: Was it not *Somerſet houſe.*

Freeman. Yes, *Somerſet-houſe*, I am ſure it was *Somerſet-houſe.*

Mr. Att. *Gen.* Do you know one Mr. *Lewis*?

Freeman. I ſuppoſe the Tapſter does, I do not.

L. C. J. *Holt.* How many Horſes came from *Somerſet houſe*?

Freeman. Only the Roan Gelding.

Sir *William Parkins.* What kind of Horſes were they? What height was the Bay Gelding?

Freeman. I ſay the Roan Gulding was about 14 Hands high.

Sir. *VV. Parkins.* Then there was a Bay Gelding, what ſized Horſe was that?

Freeman. About fourteen Hands.

Sir *William Parkins.* They were no great ſized Horſes.

Freeman. It might be they might be fourteen Hands and an half.

Sir *William Parkins.* But Hoſtler, have you not known thoſe Horſes to be mine a long time?

Freeman. Yes, Sir I have. L. C. J. *Holt.* What, the Roan?

Freeman. No, not the Roan, I cannot ſay whether I ever ſaw him before.

Mr. Att. *Gen.* Call the Tapſter. [*Turtle* appeared, and was Sworn.]

Mr. Att. *Gen.* Give an account what you know of any Horſes of Sir *W. Parkins* coming to the *George-Inn.*

Turtle. I know Sir *William Parkins* uſed to ſet his Horſes at our Inn, this four or five Years. The laſt time of his coming to Town in *February*, he came to Town with three Horſes the firſt time.

Mr. Att. *Gen.* What time of the Month?

Turtle. I do not know the day of the Month.

Mr. Att. *Gen.* What day of the Week?

Turtle. It was in *February*, it was about a Week before the Plot, the laſt of his coming to Town.

Mr. *Cooper.* Do you know the day of the Week?

Turtle. No truly, I do not, for I never kept an account of the Horſes coming in or out. The laſt time of his coming with Horſes, he came with four or five Horſes, to the beſt of my Knowledge, the *Friday* before the Plot broke out: And then he gave order to his Groom to have his Horſes ready to go out of Town on *Saturday* morning; but he did not go out with all his Horſes, according to his Order. But two Gentlemen went out with two of them, and ſtaied about two or three Hours, and they ſeemed hard rid. And theſe four or five Horſes went out of Town in the Afternonn; and he gave an account to his ſervant that he intended to be in Town again about *Sunday* or *Monday* following.

Mr. Att.

Mr. Att. Gen. When came Mr. *Lewis*?

Turtle. I do not know him by that Name; but when I ſerved the Earl of *Oxford*, I knew him to be the ſame, the Gentleman of Horſe to the Lord *Feverſham.*

Mr. Att. Gen. What time did he come?

Turtle. He was there upon *Saturday* in the Yard, but Sir *William Parkins* did not ſee him there.

L. C. J. Holt. You are askt when did *Lewis* come.

Turtle. He was in our Yard the firſt time I ſaw him, asking for Sir *William Parkins* if he were there.

Mr. Att. Gen. What time?

Turtle. About Three in the Afternoon.

Mr. Att. Gen. Did you not ſee him before?

Turtle. I ſaw him about an Hour before Sir *William's* Horſes went away, and I told him that when they returned again, they were to go out of Town, and deſigned to be in Town again on *Sunday* or *Monday.* And on *Sunday*, about three a Clock, Mr. *Lewis* came to enquire if Sir *William's* Horſes were come to Town? I told him, No. Again, on *Monday* about Nine he came to the Tap-houſe, and askt if I heard any thing of their coming? I anſwered, No.

Mr. Att. Gen. How were they accoutred, when they came to Town on *Friday*?

Turtle. To the beſt of my knowledge, two or three had Holſters, and four or five Caſes of Piſtols.

Mr. Att. Gen. Did you obſerve any other Furniture?

Turtle. I ſaw a pair or two of Jack-boots, they rode in them, the Groom rode in them.

Mr. Att. Gen. Did you ſee any more wrapt up?

Turtle. No, I did not.

Mr. Cooper. Do you know what time the Horſes were Saddled, that day, the *Saturday* that they went away?

Sir W. Parkins. Let me ask you a Queſtion or two. You ſay, you obſerved there were three or four Caſes of Piſtols; Did you not obſerve that I always uſed to ride with Piſtols?

Turtle. Yes, Sir: I know very well you did

Sir W. Parkins. And for thoſe Boots, were there any more than two pair?

Turtle. I ſaw but two pair.

Sir W. Parkins. Was there not a Gentleman that came to Town with me? We alighted at Mr. *Homes's* Houſe, and ſent the Boots thither, they were the Boots we rode in.

Turtle. I know you uſe to ride with three or four Caſes of Piſtols.

Sir W. Parkins. And were not thoſe ſmall Horſes? What ſized Horſes were they? Not one of them above fourteen Hands and a half, ſome under fourteen, they were Horſes I uſed to ride upon.

Mr. Soll. Gen. Did you ever ſee Sir *William* come with ſo many before?

Turtle. There uſed to be ſome at the Sword and Buckler.

Mr. Att. Gen. How many there?

Turtle. Four or five at a time. He has come with five or ſix at a time, when he uſed to come with a Coach and four Horſes.

Mr. Att. Gen. How long ſince?

Turtle. Seven or eight Years ago.

Mr. Att. Gen. How long have you lived at the *George* Inn?

Turtle. I have lived there about three Years.

Mr. Att. Gen. Did you obſerve any other Horſes come in there?

Turtle. There were two or three Horſes that were pretty ſizable.

Mr. Att. Gen. Whoſe were they? Did any body own them?

Turtle. Yes, there was a Man that ſeemed to own them, that paid for their Meat.

Mr. Att. Gen. Did you know who that was?

Turtle. Truly I did not know him, I never ſaw him in my life before.

Mr. Soll. Gen. Sir *William*, have you any Queſtions to ask him?

L. C. H. Holt. Sir *William Parkins*, the Attourney and King's Witneſſes have done, now is your time to make your Defence.

Sir W. Parkins. I rely upon your Lordſhip, I am ignorant, I know not how to defend my ſelf; Your integrity is ſuch, that I depend upon your Lordſhip to Sum up the Evidence to the Jury. As to the Aſſaſſination, there is but one Witneſs, and that is Captain *Porter*; and he declares I had no hand in it, but only to furniſh four or five Horſes, but not any thing that I did.

L. C. J. Holt. Yes, yes; You agreed to that Reſolution in ſeveral Debates, that it was neceſſary to take off the King.

Sir W. Parkins. I deny it. But there is but one Witneſs againſt me, and the Law ſays there ſhall be two as to one Overt-Act; and as to the Aſſiſination, there is only Captain *Porter*, and no other.

L. C. J. Holt. Well, well, that is true.

Sir W. Parkins. As to the Regiment, Captain *Porter* does not ſay I was to raiſe a Regiment, but that he was told by a Gentleman that I was deſired to be in this matter, but I could not, for I had other buſineſs to do.

L. C. J. Holt. Yes, yes, he ſaid you had a Commiſſion, and had bought 30 Saddles, and had a Troop.

Sir W. Parkins. Who ſaid that, my Lord?

Mr. Att. Gen. Mr. *Porter* ſaid you told him you had a Commiſſion to raiſe a Regiment, and you told *Sweet* your Troop did conſiſt of old Soldiers, and ſeveral Volunteers beſides.

Sir W. Parkins. Still nothing of a Regiment. I did not tell him I had raiſed a Troop, or was to raiſe a Regiment, but that I told him my Troop would conſiſt, ay would conſiſt--.

L. C. J. No, that you had bought 30 Saddles, and that your Troop did conſiſt of old Soldiers; and that you did go into *Leiceſterſhire*, and told him how diſpoſed in *Leiceſterſhire* they were to your deſign, and that the *Weſt* ſtood as well affected as the *North*.

Sir W. Parkins. That I went into *Leiceſterſhire*, and met ſeveral Gentlemen; I hope this is no Evidence of Treaſon. He ſays I ſaid they were well diſpoſed, he did not ſay well diſpoſed to King *James*. Pray my Lord call him again.

L. C. J. Holt. Let Mr. *Sweet* be called.

Mr. Soll. Gen. Mr. *Sweet*, What did Sir *William Parkins* tell you of *Leiceſterſhire*?

Mr. Sweet. He ſaid he had been there, and met his Friends, and all was well.

L. C. J. Holt. Did he name King *James*?

Mr. Sweet. No, not King *James* at that time.

Mr. Soll. Gen. What was the diſcourſe?

Mr. Sweet. He named not King *James*, but only mentioned the King's intereſt.

L. C. J. Holt. What did you underſtand by that?

Mr. Sweet. I underſtood him always King *James*. He ſaid the *Weſt* was as well inclined to the King's Intereſt as the *North*.

Mr. Att. Gen. What did he tell you he was to go about?

Mr. Sweet. He ſaid he was to meet ſome Friends in the *North*, and that ſome came as far to meet him as he went to meet them.

Mr. Att. Gen. At the time he ſaid he was to go to *Leiceſterſhire* to meet his Friends, was it at that time he had diſcourſe with you about King *James* Landing?

Mr. *Sweet.* No, Sir.

Mr. Att. Gen. When Captain *Scudmore* was with him, had you diſcourſe with him before?

Mr. Sweet. No, Sir; I never ſaw Captain *Scudmore* before in my life.

Mr. Att. Gen. But when your firſt diſcourſe was with him about King *James* his Landing, what did he ſay?

Mr. Sweet. Sir *William Parkins* told me now he did believe he would Land, for he had his own Word for it.

Mr. Att. Gen. What did he ſay of any Preparation that he had made?

Mr. Sweet. The Preparation was his own Troop.

L. C. J. Holt. Did he tell you he had a Troop, or that he was to have one?

Mr. Sweet. I ſpeak his own Words; which were, *My Troop conſiſts of all old Soldiers.*

Mr. Att. Gen. And what did he ſpeak of Volunteers?

Mr. Sweet. He ſaid he had ſome Gentlemen that would follow him as Volunteers, and would go with him.

Mr. Mountague. When you had diſcourſe of the preſent King, what Name did he give him?

Mr. Sweet. He called him the Prince of *Orange*.

Sir W. Parkins. Conſider that, did you ever hear me call this King Prince of *Orange* ſince he was King?

Mr. Sweet. I do not know, I am not poſitive in that.

Mr. How long have you been acquainted with Sir *William Parkins*?

Mr. Sweet. Three years.

Mr. Soll. Gen. Have you ever heard him call this King Prince of *Orange*?

Mr. Att. Gen. What did he uſe to call him? You had frequent diſcourſe with him about the preſent Government?

Mr. Sweet. He would call him King *William*, and the little Gentleman.

Mr. Att. Gen. What did he call him elſe?

Mr. Sweet. King *William*, the little Gentleman, our Governour.

Sir *W. Par-*

Sir *W. Parkins.* When did you hear me call him the little Gentleman? Pray conſider of it; I am ſure I always called him King *William*, but never the Prince of *Orange*, nor the little Gentleman; I am ſure I never uſed ſuch an expreſſion.

L. C. J. Holt. Recollect your ſelf, ſpeak the truth, and no more; did you ever hear him call him little Gentleman, or Prince of *Orange?*

Mr. *Sweet.* I am ſtudying the time: I am ſure I have heard him call him Prince of *Orange*, and King *William* too: but when he ſpoke of the King, I underſtood him to mean King *James.*

L. C. J. Holt. Sir *William*, when you came from *Leiceſterſhire*, you talked with him of the King's Friends, and how well diſpoſed they were for the King's Intereſt, and he underſtood it of King *James*; and you ſaid, the *Weſt* was as well diſpoſed as the *North.* Were you to go to *Leiceſterſhire* to ſee whether the People were well diſpoſed to King *William?*

Sir *W. Parkins.* No, My Lord, nor King *James* neither.

L. C. J. Holt. Why did you concern your ſelf with the King's Friends in the *Weſt* and in the *North?*

Mr. *Soll. Gen.* When was it that Sir *William* ſpoke to you of the King's Landing?

Mr. *Sweet.* About *Chriſtmas.*

Sir *W. Parkins.* Did I tell you poſitively, that he was to land?

Mr. *Att. Gen.* You ſaid, you had his word for it.

Sir *W. Parkins.* That cannot be, it carries no Probability with it. It were ſtrange, if I ſhould have it from the King's own Mouth, when I never was out of *England*; indeed, if I had been out of *England*, it had been ſomething.

Mr. *Cooper.* He did not ſay from the King's own Mouth, but you had the King's word for it.

L. C. J. Holt. Sir *W. Parkins*, Why did you ſend your Man to *Kenſington*, to ſpeak with one *Brown?* and what was that Perſon that lodged at the Confectioners in *Holbourn*, over againſt *Grays* Inn?

Sir *W. Parkins.* I know neither *Brown* nor the other: but I lent my Man, at the Requeſt of Mr. *Charnock*, who lodged at the ſame Houſe with me: he deſired me to lend him my Man to go on an Errand for him, and I lent him my Man, that was formerly his Servant, and he knew the Man; I knew neither of them, nor their buſineſs, nor whether there were any or no. He imployed him, about what I know not, nor their Buſineſs.

L. C. J. Holt. Have you any more to ſay?

Sir *W. Parkins.* I think, my Lord, there is but one poſitive Evidence as to any Overt-Act.

L. C. J. Holt. What do you think of the Deſign to bring in King *James*, to aſſiſt him with Horſes, and providing Horſes and Arms?

Sir *W. Parkins.* There is no poſitive proof of that of Arms.

L. C. J. Holt. Yes, of Arms; about *Michaelmas* laſt there were Arms ſent to your Houſe, which you ſent to Mr. *Charnock's* Brother-in-Law. Theſe Arms lay there till *Aſhwedneſday* at Night, and then were fetcht away by Night, and removed and buried at your Houſe, and taken up again, and an account has been given what Arms they were; there were four dozen of Swords, there were Hilts to them, and 25 Caſes of Piſtols, and ſeveral Carbines.

Sir *W. Parkins.* My Lord, it does not appear, that they were bought, nor for what intent they were bought.

L. C. J. Holt. But then he tells you, your going to *Leiceſterſhire* was underſtood to be for King *James*, and ſettling his Intereſt there, which by and by I muſt leave to the conſideration of the Jury, that is an Overt-Act: and when you came back, you gave an account how they were diſpoſed in the *Weſt* as well as in the *North.*

Sir *W. Parkins.* But is this an Overt-Act of Treaſon, to tell how People ſtand affected?

L. C. J. Holt. But your going with that Deſign.

Sir *W. Parkins.* He does not prove that Deſign, I went to ſee my Friends.

L. C. J. Holt. Mr. *Sweet*, did not he tell you he was to go into *Leiceſterſhire?*

Mr. *Sweet.* Yes, to meet ſome of the King's Friends.

L. C. J. Holt. Did he tell you who?

Mr. *Sweet.* Yes, my Lord, that there was a Lord's Brother; and when he came back, he told me all was well, and that the *Weſt* was as well inclined as the *North.*

L. C. J. Holt. To what?

Mr. *Sweet.* To the King's Intereſt.

L. C. J. Holt. Did he ſpeak of a Lord's Brother? what did he ſay of a Lord's Brother?

Mr. *Sweet.* There were ſeveral Perſons concerned, and among them a Lord's Brother.

Juryman.

Juryman. I desire your Lordship to ask him, for we took it so before in the course of the Evidence, when he discoursed of the King's landing, we took it of the late King *James.*

L. C. J. Holt. Did he ever mention King *James*? Did he name King *James* or King *William*?

Mr. *Sweet.* He never used to say King *James*, but I took him to mean King *James*, he called him the King.

Mr. *Att. Gen.* Who could land but King *James*?

Mr. *Soll. Gen.* About what time was that Discourse?

Mr. *Sweet.* About *Christmas.*

Sir *W. Parkins.* If I did say the King is to land, I hope this discourse cannot be interpreted Treason, but words. He says, I said I had it from the King's own Mouth, which is impossible; but if I had said, I had it from the King's own Mouth, and did tell him so, it is no Overt-Act, it cannot be interpreted Treason. And then for the other, I am charged with being in a consultation for sending over Mr. *Charnock*, there is but one Witness, there is only Mr. *Porter* for that, and that is but one Evidence, and there ought to be two Witnesses, but here is but one.

L. C. J. Holt. There are two as to that Particular. But I must tell you, Sir *William Parkins*, if any Person does design and contrive that the Realm be invaded, the King deposed, and another set upon the Throne, that is Treason, and the same Species of Treason within the 25th of *Edw.* 3. as that of imagining, compassing and designing his Death and Destruction is. Now the question is, Whether there be another Witness to prove Overt-Acts of this design.

Sir *W. Parkins.* I do not conceive there is, the rest is but of words.

L. C. J. Holt. That you bought Arms.

Sir *W. Parkins.* But that does not appear, nor wherefore they were bought.

L. C. J. Holt. What occasion had you for such a quantity of Arms?

Sir *W. Parkins.* After all, I did not buy those Arms, and I could prove to your Lordship, if I had time, that those Arms were in Boxes, and all rusty, when I came first to my house in *Warwickshire.*

L. C. J. Holt. But why were they bury'd in your Garden? they were at Mr. *Heywood*'s house before, and removed by your direction, and then carry'd to your own House, and bury'd in the Garden, just when the Plot broke out.

Sir *W. Parkins.* My Lord, It is easily imagined, that no body at such a time would care to have it known that he had Arms, tho' never so innocent, found upon him at that time.

Mr. *Soll. Gen.* But you had Horses, and Holsters, and Furniture for Horses.

Sir *W. Parkins.* I used to come with three or four Horses, according as I had Friends or Servants with me; and I never used to keep less than seven or eight Horses this twenty Years, and sometimes more; and they were little Horses, and no way fit for that service that is pretended.

L. C. J. Holt. Have you any thing more to say, Sir *William*?

Sir *W. Parkins.* I hope, as to the Assassination, I am clear. Perhaps the World may think I have had an Inclination to King *James*, and perhaps they may not think amiss in it; but I never had any opportunity of doing any thing, nor never did any thing for him. And I hope, by Interpretations, my Life shall not be taken away, and I cannot believe it will please the King that I be found guilty upon slight Grounds.

L. C. J. Holt. No question, it will better please the King, and every body else, rather that you be found innocent than guilty, if you be not guilty.

Sir *W. Parkins.* Therefore I hope, you will not find me guilty upon Inferences, according to that old saying, *Better five guilty Men escape, than one innocent Man suffer.*

L. C. J. Holt. You are under a mistake in thinking it necessary to have two Witnesses to one Overt-Act; for if one Witness be to one, and another to another, of the same Species of Treason, it is all the Law requires.

Sir *W. Parkins.* But this is not the same Species of Treason, Levying War is one thing, and Assassinating is another.

L. C. J. Holt. But your design originally was restoring King *James*, and deposing King *William.*

Sir *W. Parkins.* That appears but by one Witness.

L. C. J. Holt. One way by Assassination, the other by Invasion.

Sir *W. Parkins.* Still it is but one Witness, my Lord.

L. C. J. Holt. One Witness? it is two Witnesses for the design of the Invasion and restoring of King *James.*

Sir *William Parkins.*

Sir Will. Parkins. Two Witneſſes? To what particular, my Lord? I beg your Lordſhip; but one, beſides Circumſtances.

L. Ch. Juſt. Holt. You ſaid the King would come.

Sir Will. Parkins. So my Opinion was.

L. Ch. Juſt. Holt. No, not your Opinion, you ſaid you had his Word for it.

Sir Will. Parkins. Was it poſſible for that to be true? Which way ſhould I have his Word, when I was not out of *England*?

L. Ch. Juſt. Holt, But you had Horſes, and Arms, and a Troop, and you bought Saddles, you had Thirty Saddles in order to furniſh a Troop.

Sir Will. Parkins. Does any Body ſwear it was in order to that?

L. Ch. Juſt. Holt, When you talkt of the King's Landing, and that you had his Word for it; at the ſame time you had Thirty Saddles, and you ſaid your Troop did conſiſt of old Soldiers.

Sir Will. Parkyns, It wou'd be, but it was not done; I hope your Lordſhip will conſider that. The preſervation of Subjects, I hope, will be more acceptable than the deſtruction of them.

L. Ch. Juſt. Holt, We will do the King right, and you too. The King and Kingdom is very nearly concerned at this time. *Sir William,* have you any more to ſay?

Sir Will. Parkyns, I think there is but one Witneſs, and all the reſt is nothing but Words; and one Witneſs is not ſufficient by the Law of *England.* This is all I have to ſay.

L. Ch. Juſt. Holt, I have told you my Opinion.

Sir Will. Parkyns, My Lord, your Lordſhip has known me many years; my way was not for fighting, but the Gown; I was always a peaceable Man all my time, and very unlike this all my time: And now in my Old Age, that I am troubled with the Gout, and have loſt the uſe of my Right Hand, it is very unlikely that I ſhould do ſuch a thing as this. Therefore I hope you will interpret all in a milder Senſe, and that you will be favourable to me, and not inrerpret any thing to my deſtruction: And ſo I humbly ſubmit.

L. Ch. Juſt. Treby, Sir William, my Lord Chief Juſtice deſires to have our Opinion. We ought to be tender in caſe of Blood; your Life is at ſtake, and we ought to be very careful concerning it. But in matters of Treaſon, the Life of the King and of all the People are likewiſe at ſtake; We muſt be indifferent in this caſe, and by the Grace of God I will be ſo. The Queſtion you propoſe, is, Whether there be Two Witneſſes in this Caſe for the matter you are Indicted for? The matter is compaſſing and imagining the King's Death. There is one Witneſs that does poſitively prove that you did agree to that deſign of Aſſaſſinating the King's Perſon, and that you did promiſe, provide, and Contribute to furniſh Horſes and Men for that Action. This is proved but by One Witneſs, it is true; and if it went no further, your Objection would have good ground, there would be a defect of another Witneſs. But this compaſſing the King's Death may be made more evident by other Overt-Acts, beſides that of Aſſaſſinating. The Conſpiring with a Foreign Prince to invade this Kingdom, and providing Arms, are Overt-Acts to compaſs the King's Death; for it cannot be ſuppoſed, but that he that would have an Inſurrection and Invaſion here againſt the Perſon of the King, did intend the deſtruction of the King; He that would take away his defence, and leave him to his mortal Enemies, he can have no deſign that the King ſhould ſurvive, and call him to an account, and render vengeance to him. And therefore this being in its nature Treaſon, the providing Arms, and going up and down to raiſe Men, to make Inſurrection is ſo.

Sir Will. Parkins. That is not ſaid, my Lord; This is not ſaid, That I met with any, with an intent to raiſe Men, no, by no Evidence: It is ſaid I went to meet with ſome Friends; Pray, my Lord, go not beyond what the Evidence is?

L. Ch. Juſt. Treby. Your Words I think I did take, and I will do you no wrong. You ſaid, you went into *Leiceſter-Shire,* and that it was to meet your Friends; He ſays, the King's Friends. By Friends, it is plain King *James* his Friends, and not King *William*'s; As you ſpake of the King's Landing, and that at *Chriſtmas* laſt, when every body knows King *William* was here, and had been ſo for ſome time.

Sir Will. Parkins. That of Landing was at *Chriſtmas*; the Journey was long after.

L. Ch. Juſt. Treby. The coupling I make, is, that at *Chriſtmas* you uſed the Word King, and he ſays you meant K. *James*; now the queſtion is, if you meant by the Word King, the ſame in *January,* as in *December.* And you ſaid further, that you found the *Weſt* as well inclined to the King as the *North,* and that a Lord's Brother was concerned in it. If by King were meant King *William,* how impertinent were this Diſcourſe? To ſay that the *Weſt* was as well inclined to King *William* as the *North,* and that a Lord's Brother was concerned; in what? in being true to King *William*? What a ſtrange kind of diſcourſing is this! I was willing to hear you explain this as well as you can. But here is this of providing of Arms proved by Four or Five Witneſſes, and ſecreting of them in this manner: And you have no Witneſſes to prove that you provided theſe for

him:

the use of the Government. It is not lawful to provide Arms, as you did: And to provide Arms for a whole Troop, and secret them in this manner is the greatest Evidence to me that there was no other use of them. Whether you had provided for a whole Troop or no, I may not be skillful enough to know that; But it is plain to me, an Insurrection was intended. If you had found them in your House in *Warwick-Shire*, you ought to have discovered them, and have used them for the Government; and that when you had a Commission, and not before. Then he says, you had a Troop.

Sir Will. Parkins. He only tells you my Troop would be composed?

L. Ch. Just. Treby. Does he not say you had a Troop, that consisted of Old Soldiers?

Sir Will. Parkins. It is to be, not it was.

L. Ch. Just. Holt. Did he say it did consist, or would consist?

Mr. Sweet, He said his Troop was composed of all Old Soldiers.

Sir Will. Parkyns, Does it appear? Here is but one Man. Does this Troop consist of Men in the Air? Are none of these Men known? Suppose I should tell him a brag, a Lye; shall I lose my Life for talking of a Troop in *Nubibus*?

Mr. Att. Gen. Though we have not found your Men, we have found your Arms. Your going into *Leicester-Shire*, and bringing that word back, that is a Fact.

Sir Will. Parkyns, Where was it, and when were they bought, and made ready? It does not appear; and I do affirm, and can prove to your Lordship, if you give me but one days time, that they were at my House in *Warwick-Shire* when I first came there, Two years ago, or I will be Crucified, if it be not proved to your satisfaction that they were at my House in *Warwick-Shire*, long before any thing of this discourse was had or thought on.

J. Rookby, If your Lordship desire my Opinion, I suppose it is to the matter of Law propounded by *Sir William Parkins.* He says there ought to be Two Witnesses to the same Overt-Act. I take the Law to be this, that there need not be Two Witnesses to the same Overt-Act; But if there be One Witness to one Overt-Act, and another to another Overt-Act of the same species of Treason, this is Two Witnesses in Law. Now it seems to be one species of Treason, for it is a compassing and designing the Death of the King several ways, one by Assassinating his Person, the other by bringing in Foreign Forces, and preparing Arms to meet that force here. Now here are many Witnesses to prove Arms prepared and found, and some were present when the Boxes were opened, and proved that these Arms were directed by you the Prisoner to be sent to *Heywood's* House. It is true, *Mr. Charnock* writ the Letter, but it was by *Sir William's* directions, and *Sir William Parkin's* Servants fetcht them away from this place; this is as plain as any thing in the World: And this I take to be another Overt-Act, and proved by several Witnesses, touching the same Treason, the compassing and imagining the Death of the King. *Sir William Parkins* tells you of being Educated to the Gown; I do not know what occasion a Gown-Man should have for so many Arms.

Sir Will. Parkyns, If you please to let me send for some Witnesses, I will prove that were there Two years ago.

J. Rookby, There was a design Two years ago, and a design to destroy the King.

Sir Will. Parkins, I desire the Statute of Treason, of 25 *Edw.* 3. may be Read, and the New one.

L. Ch. Just. Holt, Let it be read. It was read accordingly.

L. Ch. Just. Holt, There is another Statute, of 5 *Edw.* 6. more for your purpose.

Sir Will. Parkins, My Lord, I expected to have found it in this?

Then the other Statute *was Read.*

L. Ch. Just. Holt, Sir William, you have heard the Statute Read, do you infer any thing from it?

Sir Will. Parkyns, It requires Two Witnesses, and there are not Two Witnesses.

L. Ch. Just. Holt, That I must leave to the Jury, whether the Witnesses do not prove an Overt-Act to demonstrate a design you had to depose the King: For if so be there be a design to depose the King from his Throne, and that be manifest by any Overt-Act, that is High-Treason by this very Act.

Sir Will. Parkyns, That I agree to; but there must be two Witnesses to it.

L. Ch. Just. Holt, Nay, suppose the design be to dethrone the King one way or another, one way by an Assassination, the other way by joyning in an Insurrection or Invasion; there must be a Witness to each Overt-act.

Sir Will. Parkyns, There must be two Witnesses to each Overt-act.

L. Ch. Just. Holt, To each? No, for the new Act which commences to Morrow, declares it to be sufficient to have one Witness to one Overt-act, and another to another Overt-act.

Sir Will. Parkyns, But it must be one Species of Treason.

J. Rookby,

J. Rookby, That that I deliver'd my opinion in, was, that one Witneſs to one Overt Act, and another to another Overt Act. of the ſame Species of Treaſon, is good now; and I am fully confirmed by this Act of Parliament, which commences in a day or two. Let the Act be read.

L. Ch. Juſt. Holt, A deſign to depoſe the King, which is manifeſt by ſome Overt Act, that is an Overt Act to prove the deſign of depoſing the King; for he that deſigns to depoſe him from his Kingly State and Dignity, if that deſign be manifeſt, that is an Overt Act for deſigning his Death.

Sir Will. Parkyns, But it muſt be manifeſted, it muſt not be by interpretation.

L. Ch. Juſt. Holt, If that be proved, if the next Overt Act be proved, that you deſign the Kings depoſition, then it is apparent you deſign his Death.

Sir Will. Parkyns, But they are different things.

L. Ch. Juſt. Treby, Sir *Will. Parkyns*, we have ſeen a King depoſed, and yet alive, it is very true, and yet not the Succeſs that always does it. But whenever Perſons agree together to bring in Foreign Forces, and prepare Arms to meet them, and make Inſurrection againſt the King in poſſeſſion; this is reckoned an Overt Act by my Lord Chief Juſtice *Hales*, and my Lord *Cook*; and yet thoſe Men are reckoned to be the moſt tender Men in theſe Caſes: And the reaſon is very plain.

Sir Will. Parkyns, If your Lordſhip pleaſe, let that be read.

L. Ch. Juſt. Treby, For any Act that has a natural tendency to the deſtruction of the King, that is the expreſſion of an internal thought of compaſſing and imagining his Death: Providing of Arms, and making an Inſurrection againſt the King, is an Overt Act, and an agreeing to ſhoot him, is an Overt Act.

Sir Will. Parkyns, I deſire it may be read, and I am ſatisfyed.

The new Act was then read.

J. Rookby, I believe in a great Cauſe in Parliament, my L. *Stafford*'s Caſe, it was declared for Law, that one Witneſs to one Overt Act, and another to another, was declared ſufficient in Law.

Sir Will. Parkyns, I believe it has been done. But yet if your Lordſhip pleaſe, here is a beneficial Law, which, if your Lordſhip had pleaſed to put off my Tryal another day, I might have had the benefit of.

J. Rookby, It would have been the ſame thing as to an Overt Act, for this is only indicative of the ſame Law in ſeveral particulars.

Sir Will. Parkyns, No, my Lord, but I could have had Witneſſes to have taken them off; but here it turns upon the matter of *Sweet*; and it is manifeſt, he has ſpoken what cannot be true, *viz.* that I had the Kings word for it.

J. Rookby, If a Man write a Note to you, that he will do a thing, that might be ſaid to be his word, though by a Letter.

Sir Will. Parkyns, If I had it from his own Mouth, not elſe.

L. Ch. Juſt. Holt, It is not impoſſible but you might ſpeak with him.

Sir Will. Parkyns, No? It is impoſſible; for can I ſpeak from hence to *France*? Mr. *Charnock* went over, but I never went over.

J. Rookby, If any man ſhould have ſaid the latter end of the laſt Month, I believe there is an Aſſaſſination intended againſt K. *William*, meerly becauſe he had his Word for it, we might ſay, we had the King's Word for it, that is a proper expreſſion, if it come by Letter or publick Fame.

L. Ch. Juſt. Holt, He might ſend you word ſo by a Meſſage.

Sir Will. Parkyns, He manifeſtly contradicts himſelf, backward and forward, in his Evidence. Captain *Porter* ſwears for to ſave his own Life, and the other contradicts himſelf.

J. Rookby. Captain *Porter*'s Teſtimony has been ſufficiently confirmed by the acknowledgment of dying Perſons.

L. Ch. Juſt. Holt, Sir *William*, have you any more to ſay?

Sir Will. Parkyns, No, my Lord.

Then the King's Learned Counſel ſumm'd up the Evidence to this Effect.

Mr. Soll. Gen. May it pleaſe your Lordſhip, and you Gentlemen of the Jury, I am of Counſel for the King in this matter, and it is my turn to ſum up the Evidence that has been given againſt the Priſoner at the Barr. He ſtands Indicted for compaſſing and imagining the death of the King, for deſigning to depoſe the King, and by an Inſurrection, incouraging and aberting the King's Enemies, and doing what he could to procure an Invaſion upon his own Countrey. Some of theſe Crimes run into one another; deſigning the death of the King, the Aſſaſſinating, and depoſing of the King, amount to the very ſame thing, it is compaſſing and imagining the death of the King. My Lords the Judges have given you their Opinion in that point of Law, and it is, I think, agreeable to all the reſolutions ſince the making of that Statute. I think this Statute made in the 25 *Edw.* 3. was explained in the time of his Succeſſor, *Rich.* 2d. but I am ſure in the time

time of *Henry* 4th. when it was designed to set up *Richard*, it was adjudged High-Treason, for compassing and designing the death of the King. For deposing of him, was destroying him in his politick Capacity, and Assassinating of him, was to destroy him in his natural Capacity. The design was to overthrow the present Government establish'd by Law, whereby every Man injoys his own Property, every Man injoys his own Freedom, and those that will be quiet, may have their own Liberty, as well as at any time they ever had it. But some People are very impatient, they are not contented to have servitude themselves, but would bring it upon their Fellow Subjects. And it would not be very ill, if those that be in love with it, would go where they may fill their Bellies with it, in another place where they may have it, and not bring it upon those that would be very impatient under it, as we all are, and I hope shall always be.

To prove the Invasion, we have Captain *Porter*, and he tells you he had seen a Commission from the Late K. *James*, all written with his own hand.

Sir Will. Parkyns, I beg your pardon, he does not say such a word. I beg, my Lord, the Witnesses may be called.

L. Ch. Just. Holt, If I remember right, Mr. *Porter* said you had read the Commission, and it was writ with K. *James*'s own hand, and he said it was becaus he could not trust his Ministers.

Sir Will. Parkyns, No, my Lord, he said not so; but all I said, was that *Scudmore* was to take one.

Mr. Soll. Gen. Pray Mr. *Porter*, give my Lord and the Jury an account what Sir *Will. Parkyns* told you.

Capt. Porter, I askt Capt. *Charnock*, if I might not see the Commission; he told me he never saw it himself, but that Sir *William Parkyns* had, and that it was written with K. *James*'s own Hand. He said, Sir *Will. Parkyns* said it was to raise War against the King's Person.

Mr. Soll. Gen: By whose Hand was it writ?

Capt. Porter, With the King's own Hand.

Mr. Soll. Gen. Did he give you any reason why it was written with his own Hand?

Capt. Porter, Because he would not trust his Ministers.

Mr. Soll. Gen. I would not do Sir *William* wrong in any respect: I well remember Mr. *Charnock* told him he had seen it, but I would not offer that as an Evidence against the Prisoner. But Captain *Porter* says, Sir *William Parkyns* said he had seen it, and said it was written with King *James*'s own Hand. And Mr. *Porter* says, they had meetings at several places, and he names you the places where; the *Magg's-Head* Tavern, the *Sun* Tavern in the *Strand*, the *Globe* Tavern in *Hatton-Garden*; and particularly that it was agreed, that Mr. *King* that was executed, and Mr. *Knightly* and himself, should go and view a place that was most proper for the Assassination, and they were to come and give an account what place they thought most proper. And that accordingly they did go to view a place, and came home at Night, and met at the *Sun* Tavern in the *Strand*, and Sir *William Parkyns* was there; and there they gave an account what place they had viewed that was proper, and all agreed to it. He says indeed, that Sir *William Parkyns* was not to execute this design in Person, but one *Scudmore* was to be a Man to be employed. And Sir *William Parkyns* did say it was very necessary to be done, for that it would facilitate the introduction of K. *James*.

There is likewise concurring Evidence with Captain *Porter*; he says, that Sir *William Parkyns* was to procure five Horses, three for himself to mount Men upon, two to lend Mr. *Porter* to mount Men upon; and if there were further occasion for Horses, he could procure them from one Mr. *Lewis*, Gentleman to the Lord *Feversham*. Accordingly we have produced you three Witnesses, *Freeman*, *Tartle*, &c. and they give you an account, that upon *Friday*, the day before the fixt day designed for the Assassination, there did come three Horses to Town from Sir *Will. Parkyns*; but the business being put off upon a disappointment, they were sent out of Town again, to return the *Friday* afterwards, the day before the Discovery. Then four Horses were brought to Town, and a fifth Horse was borrowed of this *Lewis*, a Roan Gelding.

Sir Will. Parkyns, Pray Sir, observe what sort of Horses they were, what heighth.

Mr. Soll. Gen. They were about fourteen hands high, Sir *William*, so four were brought to Town, and the fifth was brought from *Somerset-House*, so that there were the five Horses Captain *Porter* speaks of, three whereof were to be mounted by Sir *William Parkyn*'s own Men, the other two were to be lent to Captain *Porter* to mount his Men. And this is concurring Witness to Captain *Porter*'s Evidence, and it is very near two Witnesses to prove this Species of Treason.

And then Captain *Porter* goes further, and he proves that Sir *William* told him that he had a Commission to raise a Regiment of Horse, and that he was providing so to do.

Then

Then we call Mr. *Sweet*, and he gives you an account that he had been acquainted with Sir *William Parkins* for three Years past; and that talking with him about the King, his preſent Majeſty, and ſometimes about K. *James*, he ſays the King was to Land very ſpeedily, and that he had a Troop conſiſting of old Soldiers, and ſeveral Voluntiers to follow him. He ſaid, he was to take a Journey into *Leiceſter-ſhire*, and accordingly he went. And when he return'd, he told him he found the *Weſt* as well inclined as the *North*. And this is all the Evidence we produce from Mr. *Sweet*.

Then to prove he did go into *Leiceſter-ſhire*, we produce his Servants, that he did go accordingly, and met with ſeveral Perſons. What was done there they cannot prove; but they corroborate Mr. *Sweet*'s Teſtimony, that he did go, and we have all the reaſon to believe he went upon that deſign that Mr. *Sweet* ſaid he did.

Then, as a further concurring Evidence, that he was to raiſe a Regiment, or a Troop, whether a Troop or Regiment, is not material; here is the matter of his Arms. There were four Dozen of Swords found in his Houſe, thirty two Carbines, and five and twenty Caſes of Piſtols; theſe were hid in his Garden. We have trac'd theſe Arms, and find they were ſent from his Houſe to Mr. *Heywood*'s. But there he thought they did not lye very ſafe, therefore Sir *William Parkins* ſent for them very privately; and they were brought back to his Houſe, and there they were buried. The ſame Perſon ſays he ſaw them taken up afterwards; ſo that they were one and the ſame Arms that he ſent away, and that were afterwards buried in his Houſe. So that this is a concurring Evidence with what Mr. *Sweet* ſays, and with what Captain *Porter* ſays. And theſe are three Witneſſes to that Treaſon he had a Commiſſion to proſecute.

Now againſt all this, he makes but very ſmall Objection. For the matter of two Witneſſes he has been over-ruled by the Court. For the Arms, he ſays, they were in his Houſe, and he found them there when he came there firſt: But of this he has no manner of Evidence. But if they had been there when he came, how came he at this time to ſecret them? Why might they not have been as publick now as before? He might have kept them, and given ſome Reaſon why he did ſo. But when he gives no manner of Reaſon why he ſecreted them, he gives you a juſt Suſpicion that they were for that end for which the Witneſſes ſay they were deſigned, that is, to Arm that number of Men he was to raiſe, that were to be ready to aſſiſt King *James* when he came to Land here. So that if you believe what the Witneſſes have ſworn, I think, with Submiſſion, you cannot but find him guilty of the Crimes for which he ſtands Indicted.

Mr. *Cooper*. My Lord, Sir *William Parkins* has given us a good Caution, which I ſhall take care to obſerve, that is, not to ſtrain either Fact or Law to his Prejudice. But, my Lord, when a Crime of this nature is ſo far proved againſt the Priſoner, as no Man can acquit him in his Judgment; then, I think, it is good Service to the Publick, to make it ſo plain, as to be out of doubt to the Juries Conſcience, and Satisfaction of all that think themſelves concern'd in this Crime, and that it is worth their while to hear this Tryal. My Lord, Sir *William Parkins* his Indictment is divided into Two Parts; one that accuſes him for Aſſaſſination; The other to invite the *French* into this Kingdom, and to meet them with an Armed Force.

For the firſt part, I muſt do him that right, there is but one poſitive Evidence for his being concern'd in the Aſſaſſination. But that Evidence ſays he agreed to it in ſeveral Meetings; and in one that he ſaid, it was neceſſary in order to the other Deſign he was ingaged in, and that it would facilitate the Deſcent of the late King *James* into this Kingdom. But that one Evidence is confirmed by ſeveral concurring Circumſtances: By his ſending for his Horſes to Town the day before the firſt *Saturday* that the King was to be Aſſaſſinated: By his ſending them out of Town upon that Diſappointment; and ſending for them again before the ſecond *Saturday* when the King was to be Aſſaſſinated: By his having more Horſes than uſual, and taking care of three Horſes that were none of his own, brought by a Perſon unknown: And all theſe Eight Horſes carried away that *Saturday*, upon the Diſappointment, by the King's not going, as they hoped he would, a Hunting.

And, my Lord, I muſt obſerve to you, that upon the Meſſage that was ſent by Sir *William Parkins*, one of thoſe Horſes was brought from *Somerſet-Houſe*, and brought by Mr. *Lewis*, who it is apparent was privy to this Deſign. Beſides this, there is another Circumſtance in the Evidence, that has not been obſerved; And that was the ſending for Mr. *Sweet* up to Town before the ſecond time that the King was to be Aſſaſſinated. The firſt time he came up, he was asked in what Condition he had left his Family, how they were provided for; And he ſaid, he had left them without Mony: Sir *William Parkins* then chid him, and ſaid he might as well have ſtaid at home; And ſaid, he had once a Deſign to have uſed him in a Matter he had for him to do in Town, but he had Compaſſion on his Family, and therefore would not make uſe of him. All theſe favour of that Deſign which Captain *Porter* poſitively accuſes him for.

But as to the other part of the Indictment, which is his Design to meet the *French* with an Armed Power, that is sworn to by two Witnesses. Captain *Porter* tells you he was at the two Consults, where that was resolved upon, the *Old Kings head Tavern* in *Leaden-Hall-street*, and at Mrs. *Mountjoy*'s in *James-street*. They all agreed to meet the late King with 2000 Horse, when he was to Land with a Foreign Power; and Sir *William Parkins* was with them. And Mr. *Sweet* tells you, Sir *William* acquainted him with the Design, and said he had a Troop of old Soldiers; My Troop, in the Present Tense he spoke it: He did himself that right to examine into that matter: And the Evidence repeated it, *My Troop consists of all Old Soldiers*, and he was to have several Gentlemen Voluntiers that were to join him.

As to the Joining with the *French*, the Raising of Rebellion in *England*, and Deposing the King, which is Killing him in his Politick Capacity, two Witnesses go home to that. And the Evidence as to that is corroborated by several strong Circumstances: The Journey that Sir *William Parkins* said he would undertake into *Leicester shire*, he did go: He comes back in *February*, and makes report to Mr. *Sweet* of the Success of that Journey; That the King's Friends (by which terms he meant the late King *James*'s Friends) were well affected, That the King would Land. That when he spoke of King *William* (as sometimes he did) he called him the Little Gentleman, sometimes King *William*, sometimes the Prince of *Orange*: But whenever he spoke of the King by way of Excellency, he always meant King *James*. And when he spoke of the King's Landing, it could not be meant of King *VVilliam*, as every body knows.

The Prisoner has said in his defence, that the Man that was sent to *Kensington* was formerly Mr. *Charnock*'s Servant, and that Mr. *Charnock* desired him to let him go on a Message for him. But yet, my Lord, I must observe, that the Evidence swears positively that he was sent by Sir *VVilliam Parkins*, and brought back the Message in his Almanack, to the Person that lodged at the Confectioners, to whom Sir *VVilliam Parkins* had directed him to resort, to that Person that lodged at the Confectioners over against *Grays-Inn Gate*; who did not remit him to Mr. *Charnock*, but to Sir *VVilliam Parkins*, to tell him that he would be at home till Sir *VVilliam Parkins* should be ready for him.

My Lord, Sir *VVilliam Parkins* has complain'd, that if he could have had time to get his Evidence, he could have proved that these Arms had been at his House two Years, and that he found them at his House. But if Sir *VVilliam Parkins* could prove that he had these Arms in his House two years, and that he found them at his house, we would confess, and avoid it: They were recommended by a Letter from Mr. *Charnock* (a very suspicious Person in this matter) to be disposed of, and they were hid, and lay conceal'd at Mr. *Heywood*'s House, till this design was disappointed, and then carried to Sir *VVilliam Parkins*'s House, and were buried in his own Garden for the better securing of them: And this on the breaking out of the Plot. Sir *VVilliam* says they were Rusty. But now it appears they were clean, and the Hilts off, packt up together, and all fit for use.

My Lord, in the last place, he has recourse to Arguments of Pity, which is the most moving of all: He has told us of his Age, and Family, and Education. I am very unfit to answer such Arguments, and unwilling to extinguish Pity: But this we must answer, That he did not Pity himself at that time when he might have done it: And he should have had Pity upon his Country, upon the Best of Kings and *Men*, when they thought they had him in their Power. But then they had no Pity on him, for it is plain they persisted in their Resolution; after one Disappointment, they proceeded to a second, and so their Design was frustrated.

My Lord, This is the Sum of the Evidence, and of his Defence, as well as I could recollect it. And though these Considerations may not quite extinguish your Pity, yet we hope it will incline you to do the King and Kingdom Justice; And this is all we shall ask of you.

Then the Lord Chief Justice Holt *directed the* Jury *to this Effect:*

L. C. Just. *Holt.* Gentlemen of the Jury, Sir *VVilliam Parkins*, the Prisoner at the Bar, is as you have heard, Indicted for High-Treason, that is, for Compassing, Imagining and Designing the Death of the present King. There have been several Witnesses produced, to make this evident upon his Indictment. The first of them is *Mr. Porter*, that has been a Witness heretofore against several upon the like Occasion. And he gives you this Account, That about the latter end of *May*, or beginning of *June* last, there was a *Meeting* of divers Persons at the Old Kings-head Tavern in *Leaden-Hall street*, in this City, where they Dined together. There was Sir *William Parkins* himself, Sir *John Fenwick*, and divers others that he has mentioned to you. At that *Meeting* they did Consult together which way the late K. *James* might be restor'd; and it was thought very necessary that there should be

be a French Force ſent over to act here in his behalf, towards his Reſtoration. And they did among themſelves agree and determin what number might be convenient, and did propoſe 10000 Men: and that a Meſſenger ſhould be ſent over to K. *James*, to endeavour to prevail with the French King to furniſh him with ſuch a number of Men, to be ſent over into *England*. Mr. *Charnock*, that was then in the Company, was agreed upon among them to be the Meſſenger to go over to King *James*. He accepted of it on their Promiſe that they would raiſe among themſelves 2000 Horſe, to meet King *James* at ſuch time as he ſhould Land. This being at that time determined, and Mr. *Charnock* having accepted of the Employment, by what I perceive, the Meſſenger did make a preparation to go forward. A few days after this, about a Week, or thereabouts, there was another Meeting, at which moſt of the ſame Perſons were, that were preſent at the former, and among them Sir *William Parkins* was one: And this was at one Mrs. *Mountjoy*'s Houſe, that keeps a Tavern in St. *James*'s-*Street*.: There they did diſcourſe of what they had formerly agreed upon, and did conſider whether or no they ſhould proceed in that Deſign, that was before reſolv'd upon in the former Meeting: And they did all of them agree to perſevere in the ſame Deſign, and did determin that Mr. *Charnock* ſhould go over with that Meſſage. Accordingly Mr. *Charnock* did go; for Mr. *Porter* met him afterwards, about five or ſix Weeks after; and Mr. *Charnock* told him he had been there; and that he had been with thoſe ſeveral Gentlemen that were at thoſe Meetings, and had acquainted them with the ſucceſs of his Errand; which was, that King *James* did tell him, That at that juncture of time, the French King had ſuch occaſion for his Forces, that he could not that Year furniſh him with them. So that is one thing proved by Mr. *Porter* againſt Sir *William Parkins*, in which Mr. *Porter* is very peremptory and poſitive.

But then *Mr. Porter* tells you further, That there was a deſign of Aſſaſſination ſet on foot, and that Sir *George Berclay* was engaged in it; who about the latter end of *January* laſt, or the beginning of *February*, was ſent over hither with a Commiſſion from the Late King *James*. Sir *George Barclay*, and Sir *William Parkins*, Captain *Porter*, and divers others, had ſeveral *Meetings*, in ſeveral Places; at the *Globe* Tavern in *Holbourn*, the *Nag*'s-*Head*, the *Sun* Tavern in the *Strand*, and other Places. And at theſe *Meetings* it was taken into conſideration, which was the beſt and moſt effectual way to bring about their Deſign, to reſtore King *James*: And it was agreed among them all, That the beſt courſe that could be taken, was to kill King *William*: And at all theſe Conſults, at which theſe Reſolutions were taken, Sir *William Parkins* was preſent. And when *Mr. Porter* was asked, whether Sir *William Parkins* did conſent to that Reſolution, he ſays, he ſaid he thought it very convenient. This is Sworn by *Mr. Porter*.

This deſign of the Aſſaſſination being ſo reſolved upon, the next thing was, how it might be effected: And there were ſeveral ways that were propoſed. One way was to Aſſaſſinate him on the other ſide of the Water, the King going frequently once a Week a Hunting, when he had a mind to Divert himſelf, uſing to come back in the Evening. Then it was propoſed to do it by falling upon the Guards on this ſide of the Water. The place not being agreed on where it ſhould be done, they did ſend it ſeems three Perſons to view the Ground; there was *Mr. Porter*, *Mr.* King, and one *Knightly*. So ſome days before the 15th of *February*, theſe Perſons viewed the Ground; and having viewed the Ground, they returned in the Evening to a Tavern, where theſe Perſons met together, *Mr. Charnock*, Sir *George Berclay*, Sir *William Parkins*; and they made their Report upon the view of the Ground: And upon that Report thoſe Perſons made, it was then agreed, That the Attempt ſhould be made on this ſide of the Water, that is, in a Lane that the King was to come through; a Lane between *Turnham Green* and *Brentford*. And when the Attack was to be made thereabouts, Sir *William Parkins* was to furniſh five Horſes, whereof three were to be mounted by *Men* of his own providing, the other two by *Men* of *Mr. Porter*'s providing. It was *Mr. Porter*, *Mr. Charnock*, and one *Rookwood*, that were to be principally engaged; and the number of Men were to be about Forty, or ſomewhat more: And Sir *George Berclay* with his Party, were to Attack the King in his Coach, while *Rookwood* and the other Party fell upon the Guards. Well, the time agreed upon at firſt, was *Saturday* the 15th of *February*, that day it was expected the King would go out a Hunting; and there were two *Men* Planted at *Kenſington*, and they were to give notice when the King went, and thoſe Perſons were to go and lye in ſmall Parties thereabouts; and when notice was given that he was out, they were to make the Attack. But it ſeems this Deſign was diſappointed by the King's not going abroad that day, ſo they loſt their end at that time. But it ſeems notwithſtanding this, the Deſign was not at an end; they were not ſo diſcouraged at this diſappointment, but they did agree to make another Attempt: And there was another *Meeting* that Captain *Porter* tells you of; And that was on *Friday* following, the 21ſt. of *February*, at the *Sun* Tavern in the *Strand*, if I miſtake not: And at that *Meeting* was Sir *William Parkins*, Sir *George Berclay*, and *Rookwood*: And they did agree to do

the

the Business the next day, in the same manner and method they formerly had agreed to. Sir *William Parkins* was not to be one himself, tho he was to provide others. You are told further, that Captain *Porter* having the misfortune to have two of his Horses fall Lame, he acquainted Sir *William Parkins* with it; and Sir *William Parkins* promised to help him to two more, and Mr. *Lewis* was to furnish them.

You are told further, that before this, Sir *William Parkins* sent to Mr. *Sweet* to come to Town; he sent to him about the 11th of *February*; Mr. *Sweet* comes to Town about the 12th of *February*; there he had Discourse with him, and tells him he had some Work for him; and ask'd him how he had left his Family; whether he had settled his Family? No, says *Sweet*. Then says Sir *William Parkins*, you are not fit for that Employment that I intended for you; you may go out of Town again. Then he comes the *Friday* following; then his Groom was to bring some Horses to Town, and he does bring four to Town. Then Mr. *Sweet* came to Town; and on *Saturday* Sir *William Parkins* says that he would go out of Town that Afternoon; but he stayed till *Monday*, and then he went out of Town. *Friday* following the Horses came to Town again, and were set up at the *George Inn*. The next day was to be the *Assassination*. Mr. *Lewis* was to furnish Mr. *Porter* with two Horses; five Horses were to be furnish'd upon Sir *William Parkins*'s account; and five Horses Sir *William Parkins* had there at that time: This is proved to you by the Hostler. Then Mr. *Lewis* himself comes on *Saturday* in the Afternoon, to speak with Sir *William Parkins*, to enquire for him; but Sir *William* was not in the way. These are Circumstances that prove and confirm Captain *Porter*'s Evidence, as to Sir *William Parkins* providing Horses: He had five Horses, and Mr. *Lewis* was the Person to furnish him with one, and it may be might be prevailed upon to furnish Captain *Porter* with more: But it seems there was no occasion for more, for the King did not go abroad that Saturday; this was the last *Saturday*, so the Design perfectly fell.

Then further, concerning the Commission; he told you at first, That he asked Mr. *Charnock* if he might see the Commission; he said, he had not seen it himself, but that Sir *William Parkins* had seen it. Mr. *Porter* was earnest with Sir *William Parkins* to know if he had seen the Commission; and Sir *William Parkins* told him he had seen it and read it, and the Commission was writ with King *James*'s own Hand: This Captain *Porter tells* you. And, what was the substance of it? *To make War upon the Person of the King*; called in the Commission by the name of the Prince of *Orange*: He had read it, and it was writ with King *James*'s own Hand. So that, Gentlemen, as to the business of the Assassination, the Commission was the foundation upon which they went. This is the sum and substance of Captain *Porter*'s Evidence, so confirmed by these Circumstances.

But then there is another Witness, and that is Mr. *Sweet*, an Acquaintance of Sir *William Parkins*; and he tells you, that about *Christmas* last, he was assured by Sir *William Parkins*, that the King would Land. By the King he understood he meant the Late King *James*. He asked him how he knew it? Says he, I have his Word for it; and, says he, I have 30 Saddles, and I have a Troop of old Soldiers; My Troop, consists of all old Soldiers: This he positively says. And besides these, there were to be some Voluntiers, and they were to be old Officers. And he tells you, he was to go into *Leicestershire*, and he did go at the latter end of *January*; and on *Thursday* he went to *Stratford*, and lay there the first Night, and the next day to *Leicester*: There went with him one *Scudmore*, and afterwards there was with him one *Tarbury*: And when he came back, he said, he found the Gentlemen of the West very well affected to the King's Interest, and as well disposed as those of the North.

Then, in the next place, you are told, that about *Michaelmas* last, Mr. *Charnock* at his desire, sends a Letter into *Warwickshire*, to one Mr. *Heywood*, to receive some Goods to his House that were to come from Sir *William Parkins*, and lay them up carefully: And accordingly were those Boxes, those Chests sent; and they continued to lye there until the latter end of *February* last; at which time, Mr. *Heywood* says, he being in Town, met Sir *William Parkins*, and spoke to him concerning those things at his House, and ask'd him what he should do with them, how shall I dispose of them says he? Whereupon Sir *William* says, we will shortly take care of them. Upon this Sir *William* sends his Servant into the Country, and notice was given upon *Ash Wednesday* that those things should be removed, and his Servant goes in the Evening with Cart and Horses to fetch them home: There these Chests and Boxes were found, three great Chests, out of which the lesser were taken, and all carried away about Nine or Ten a Clock at Night, from that Place, to Sir *William Parkins*'s House in *Warwickshire*. When they were carried there, they were buried, till such time as they were afterwards taken: When they were dug up, upon the breaking open of the Chests, it did appear what sort of Goods they were; truly they

were

were Arms, a conſiderable quantity of Arms; There were four Dozen of Swords without Hilts, 25 pair of Piſtols, and 32 Carbines, and there was a parcel of Hilts ready to be put to the Swords. This Gentlemen, is Sworn to you by the Evidence againſt Sir *William Parkins*: It was in the Night, about the time that the Plot broke out and was diſcover'd. And it ſeems the Arms were not ruſty Arms, but they were very bright and good Arms, they did not want any ſcouring and cleanſing; bright Arms, very fit for Service.

And there is one Circumſtance more, that ſeems to affect Sir *William Parkins* about the Aſſaſſination; And that is a Letter that was ſent on *Saturday* the 15th of *February* to one call'd *Brown*, at *Kenſington*, early in the Morning, by Sir *William Parkins*'s Man; and this *Brown* writ in his Almanack, and this was ſent to a Man that Lodged at a Confectioners in *Holbourn*, over againſt *Grays-Inn-Gate*, (Sir *William Parkins* remaining in Town) and he goes to that Perſon, who ſeemed to be a *Scotch*-Man and talkt like a *Scotch*-Man; and he bid him go to Sir *William Parkins*, and tell him he would be at home till he was ready to come to him. This now is the Subſtance of the Evidence given againſt Sir *William Parkins*.

Now Sir *William Parkins* ſays for himſelf, that he does admit, that for what Capt. *Porter* does ſay, it is a very poſitive Evidence; but that is but one VVitneſs: And no Perſon by Law, in Caſes of High-treaſon, ought to be Convicted upon the Teſtimony of one Witneſs, let him be never ſo poſitive. For that he is in the right; no man is to be Convicted by one Witneſs. But the Queſtion is, whether there be not two Witneſſes for one and the ſame Treaſon, which I told you at firſt was for Compaſſing, Imagining and Deſigning the Death of the King? Capt. *Porter* is clear as to the Aſſaſſination; and there is no other Witneſs to the ſame Overt-act; But *Sweet* is for the Original Deſign, which was the Reſtoring the late King *James*, and for which Mr. *Charnock* was to be ſent into *France* in *May* or *June* laſt, and ſo it was determined at the Conſult held as aforeſaid. But then what does Mr. *Sweet* ſay to that, which was ſtill a part of the ſame Deſign, tho' at another time? Mr. *Sweet* ſpeaks of King *James*'s Landing, of a Deſign of having a Force in readineſs to meet King *James*, and to Aſſiſt him after he had Landed: And this is now to the ſelf-ſame purpoſe, even as ſtrictly as Sir *William Parkins* himſelf can deſire. Now if there were no more in the Caſe, if we leave out the buſineſs of the Aſſaſſination, and conſider only what was determined at the *Kings-Head*, and at Mrs. *Mountjoy*'s Tavern, and what was the advice of Sir *William Parkins* afterwards; That ſure tended to the ſame End, the bringing about the ſame ſort of Deſign that Sir *William Parkins* was ingaged in even in the Summer, that is, to be ready to Aſſiſt King *James* if he had Landed at that time. Now if the buſineſs of the Aſſaſſination had been left out of the Indictment, and there had been no more than a deſign and purpoſe to Depoſe this King, and ſet up the late King upon the Throne; that had been High-treaſon within the *Statute* of *Edw.* 3d. that were an Overt-act to prove a Deſign for the Depoſing of King *William*. So that if the Aſſaſſination were out of the Caſe, there had been a full Proof, if Mr. *Sweet* does prove any ſuch matter, which by and by is to be conſidered. But then ſuppoſing the meeting at the *Kings-Head*, and at Mrs. *Mountjoys* had been omitted, then the Caſe had been no more than this, than a deſign to Depoſe the King, that is, an Overt-act of a deſign to Depoſe the King, never that I know contradicted. But then there is ſeveral ways thought of. Firſt the Deſign was by Arms, without any relation to killing the King, but only by Arms. Then they come to think further, and to conſider that the late King *James* cannot be Reſtored, unleſs King *William* be Killed; and then they determine upon That. Now the deſign of Reſtoring the late King by Arms, is one Overt-act; And the deſign of Aſſaſſinating the King, is another Overt-act. So although, the Law does require there ſhould be two Witneſſes to the ſame ſort of Treaſon; yet the Law does not require two Witneſſes to every Overt-act: For if one Witneſs prove one Overt-act, and another Witneſs prove another Overt-act, there is two VVitneſſes within the meaning of the *Statute*. And that has been always practical, and never denied that I know of. Beſides, as my Brother mentioned before, the New Act of Parliament, that has not yet taken Effect, ſays, that there ſhall be one Witneſs to one Overt-act, and another to another, of the ſame Species of Treaſon. Now it doth appear, that theſe are Overt-acts of the ſame Species of Treaſon.

But then Sir *William Parkins* does object, that Mr. *Sweet*, and the other Witneſſes beſides Capt. *Porter*, do not prove any Overt-act againſt him at all. Now then you are to conſider the force of Mr. *Sweet*'s Evidence, and I will open to you firſt the Diſcourſe at *Chriſtmas* about the late King *James*'s Landing. He told him he had his word for it, and that his Troop conſiſted of ſuch a Number, and his providing of Arms. He ſays theſe are only Words. Now then conſider alſo whether theſe words are not Overt-acts. That Sir *William Parkins* had Arms, beyond what he as a Private Man had occaſion to uſe, that is moſt

plain, he does not give any account about it. He ſays he wants Witneſſes, and that he had not time to provide Witneſſes; he does not give any account to what purpoſe he ſhould have them, or what he was to do with them. Being a private Man, certainly he had not occaſion for theſe Arms. Then the removing theſe Arms to Mr. *Heywood*'s Houſe, and then afterwards carrying them away in the Night to his own Houſe, and burying them, a little after the Plot was diſcovered; then what kind of Arms theſe were. If providing of Arms were an Overt-act, having of Arms was certainly an Overt-act. And then, Gentlemen, he had a Troop; his Troop conſiſted of old Soldiers, and he had Arms. Now Mens Diſcourſes and Words muſt explain their Actions. An indifferent Action may be explained by words. It is Lawful for a Man to Buy a Horſe and Piſtols; but if he tell any one he will buy a Piſtol, and with that immediately go and Murther the King; If he tell you he will buy a Horſe, and go with it and lie in wait for the King, and kill the King; There his own words are an Explication what he bought his Horſe and Piſtol for. Now when he ſays the late King is to Land, and Arms are found upon him, I muſt leave it to your Conſideration to what purpoſe he would uſe his Arms, ſeeing he gave no account what they were for. But he tells you he found them at his Houſe in *Warwickſhire* two Years ago. But to have ſuch a quantity of Arms, was no way ſuitable to the Circumſtances he was in.

Then another thing was his going into *Leiceſterſhire* with Capt. *Scudmore*; there meets him one Mr. *Tarbury*: And he comes back on *Thurſday*, and home to *Buſby* on *Monday* Night; and tells Mr. *Sweet* he found the Gentlemen of that Country were very well affected to the King, as well affected in the *Weſt* as they were in the *North*. What King muſt he mean? He had no Commiſſion from King *William*, he does not pretend to it, to go into *Leiceſterſhire* to know the Minds and Affections of Men there; he had no Authority from King *William* to go upon ſuch a deſign. And then ſpeaking that the King would Land, whether he means King *James* or no, I muſt leave it to your Conſideration. It is very true, it is not fit that there ſhould be any ſtrained or forced Conſtruction made, when a Man is upon a Trial for his Life; that is out of queſtion, you ought to have very ſatisfactory Evidence to convince you that a Priſoner is guilty of what he is charged with. But however you are to conſider, not only the things, but the Circumſtances that do attend thoſe things, and the Circumſtances Men are under, when they do or act any thing whatſoever. For to pretend in this caſe, that Sir *William Parkins* went to know the Affections of the People in *Leiceſterſhire* to King *William*; and that he meant thoſe in the *Weſt* were as well affected to him as thoſe in the *North*, cannot be imagined. And Mr. *Sweet* tells you, that always when he did ſpeak of the Kings Landing, he underſtood him to mean the Late King *James*. And indeed that muſt be meant: For King *William* was in *England*, and Landed before, and it does not appear that Sir *William Parkins* had any deſign to engage himſelf in King *William*'s Service. So that I muſt upon the whole matter leave it to your own conſideration; If you are ſatisfied that Sir *William Parkins* is guilty of this Matter wherewith he is charged, then you are to find him Guilty; You have heard the Evidence, and you are to conſider of it. If you are not ſatisfied in the matter for which he ſtands charged in the Indictment, then you are to acquit him.

Then the Jury *withdrew to conſider of their Verdict, and an Officer was Sworn to keep them, according to Law, till agreed; and about a quarter of an Hour afterwards they returned into Court, and the Priſoner was brought to the Barr.*

Clerk of Arr. Gentlemen, Anſwer to your Names, *William Northey.*

Mr. *Northey*, Here, (and ſo of the reſt.)

Cl. of Arr. Gentlemen, Are you agreed of your Verdict?

Jury. Yes.

Cl. of Arr. Who ſhall ſay for you?

Jury. Our Foreman.

Cl. of Arr. Sir *William Parkins*, Hold up thy Hand (which he did) Look upon the Priſoner; How ſay ye, Is he Guilty of the High-Treaſon, whereof he ſtands Indicted, or not Guilty?

Foreman. Guilty, My Lord.

Cl. of Arr. What Goods or Chattels, Lands or Tenements, had he at the time of the High-Treaſon committed, or at any time ſince?

Foreman. None that we know of.

Goaler, Look to him, he is found Guilty of High-Treaſon.

Cl. of Arr. Then hearken to your Verdict as the Court has recorded it. You ſay that

Sir

Sir *William Parkins* is Guilty of the High-Treaſon whereof he ſtands Indicted; but that he had no Goods nor Chattels, Lands nor Tenements, at the time of the High-Treaſon committed, or at any time ſince, that you know of.

L. C. J. Holt. Diſcharge the *Jury*.

Cl. of Arr. Gentlemen, The Court diſcharges you, and thanks you for your Service.

L. C. J. Holt. Then we had beſt Adjourn the Court till five in the Evening.

Cl. of Arr. Cryer, Make Proclamation.

Sir *William Parkins.* My Lord, if you pleaſe, I deſire I may have the liberty of Friends, and Relations, and a Miniſter to come to me, and that they may be in private with me.

L. C. J. Holt. You ſhall have an Order of Court for the ſame.

Cryer. Oyes, Oyes, Oyes: All manner of Perſons, that have any thing more to do, at this General Seſſions of the Peace, Seſſions of Oyer and Terminer, holden for the City of *London*; and Goal-delivery of *Newgate*, holden for the City of *London*, and County of *Middleſex*, may depart from hence for this time, and give their Attendance here again at five in the Evening, and ſo God ſave the KING.

About Six of the Clock, the Lord Mayor, Mr. Common Serjant, and ſeveral Juſtices of the City of London *returned into Court, and Proclamation being made for attendance, the Priſoner was brought to the Bar.*

Cl. of Cr. Sir *William Parkins*, Hold up thy Hand. Thou ſtandeſt Convicted of High-Treaſon, for Conſpiring the Death of our Sovereign Lord King *William* III. What haſt thou to ſay for thy ſelf why Judgment ſhould not paſs againſt thee to dye according to Law?

Sir *William Parkins.* I have nothing more to ſay.

Cl. of Cr. All manner of Perſons are commanded to keep Silence while Judgment is giving, upon pain of Impriſonment.

Then Sentence was Pronounced againſt Sir John Friend, *and Sir* William Parkins *together.*

Mr. Com. Serj. You the Priſoners at the Bar, Sir *John Friend* and Sir *William Parkins*, have been Indicted for High-treaſon, in conſpiring the Death of the King; for Tryal thereof you have put your ſelves upon your Countrey, which Countrey have found you Guilty

The Crimes you are Convicted of, are the greateſt a Man can commit. Murder and Robbery are Injuries but to private Perſons: But to contrive the Deſtruction of the King, is letting in Ruin upon Thouſands of People. For Robbery and Murder there may be ſomething pleaded for Juſtification, as for private Revenge *&c.* But to Set, Conſpire, and Debate the Deſtruction of a Prince, the beſt of Men, the Father of his Countrey, no Man ever had any colour of Excuſe for that. I would not add to your Unhappineſs, I am ſorry for the ſevere Judgment that you have brought upon your ſelves. All that remains for me to do, is, to Pronounce on you the Sentence. And the Court doth award,

THat You, and each of You, be carried to the Place from whence you came, and from thence be drawn on a Hurdle to the Place of Execution, and be there ſeverally Hanged, but cut down while you are alive; that your Privy Members be cut off; that your Bowels be taken out, and burnt before your Faces; that your Heads be ſever'd from your Bodies, and your Bodies be divided into four Quarters, and your Quarters to be at the King's Diſpoſal: And the Lord have Mercy on your Souls.

Then the Court Adjourned to the 22*d.* day of *April.*

F I N I S.

A True Copy of the Papers delivered by Sir *John Freind*, and Sir *William Parkins*, to the Sheriffs of *London* and *Middlesex*, at *Tyburn*, the Place of Execution, *April* the Third, 1696.

Sir JOHN FREIND's *Paper.*

KNowing that I must immediately give Account to God of all my Actions, and that I ought to be especially careful of what I say in these Last Hours, I do solemnly profess, That what I here deliver is from my very Soul, with all the Heartiness and Sincerity of a Dying Christian.

The Cause I am brought hither to suffer for, I do firmly believe to be the Cause of God and True Religion, and to the best and utmost of my Knowledge and Information agreeable to the Laws of the Land, which I have evermore heard do require a firm Duty and Allegiance to our Sovereign; and that as my Foreign, so neither any Domestick Power can alienate our Allegiance. For it is altogether new and unintelligible to me, that the King's Subjects can depose and dethrone him on any account, or constitute any that have not an immediate Right in his place. We ought, I think, not to do this; and surely when it is done, to assist him in the Recovery of his Right, is justifiable and our Duty. And however things may seem at present, I do *believe*, I am sure I heartily *pray*, That he shall be one day Restored to his Rightful Throne and Dominions.

As for any sudden Descent of his Majesty upon these his Dominions, in order to the Recovery of them, I declare I had no certain knowledge of it, nor can I tell what grounds there was to believe it, so little reason had I to be in a present Preparation for it. I suppose it is not expected I should here endeavour to clear my self of the Assassination, which was not the Thing alledg'd against me; however, it was mention'd, through what means I know not: As it was insinuated to my disadvantage, I forgive such as were therein instrumental: And I do also from the very bottom of my Soul, freely forgive, and beg of God to do so too, such as were any ways accessary towards the taking away my Life, which I really look upon to be their Misfortune more than mine.

I profess my self, and I thank God I am so, a Member of the Church of *England*, though, God knows, a most unworthy and unprofitable part of it; of that Church which suffers so much at present for a strict adherence to Loyalty, the Laws, and Christian Principles. *For this I Suffer, and for this I Dye.*

Though I have a perfect Charity for people of all Professions, and do heartily wish well, and would endeavour so to do, to all my Fellow-Subjects, of what Persuasions soever. And indeed, I have met with a great deal of Uprightness and Sincerity among some people of very different Opinions in Religious Matters.

And I hope and desire it may not be taken as an uncharitable Censure, or undue Reflection, that I objected to the Legality of Popish Evidence, being advised so to do for my better Security, upon the foundation of a Statute-Law.

Having owned my self a Member of the Church of *England*, I must take this opportunity, and I do it for God's Glory, to apply my self to you that are Royalists of that Church, and of the same Faith and Principles with my self: And I beg of you for God's sake, and the love of your Souls, to be very constant and serious in all Religious Offices, and holy Duties of Divine Worship and Service, which I have too much neglected, as I own to my great Sorrow: Let no Excuse, no Dangers, prevent or hinder you in these most necessary and serious Matters; and be, I beseech you, very careful and circumspect in all your Actions, Behaviour, and Conversation, as I earnestly exhorted all that came to me.

I have, I thank God, a great deal of Satisfaction in my present Sufferings, and have found it so ever since I have been under them: And blessed be God it doth continually increase upon me. And I do now lay down my Life with all Chearfulness and Resignation, in sure and certain Hope of a Resurrection to Eternal Life, through our Lord Jesus Christ; through whose Merits alone I hope for the Pardon of my Sins, and the Salvation of my Soul.

And so, O Lord, into thy Hands I commend my Spirit, for thou hast redeemed me, O Lord, thou God of Truth.

And I do heartily and humbly beseech Thee Almighty God, and my most Gracious Father, to forgive and bless this Sinful Nation; Deliver it from the Guilt of Rebellion, Blood, and Perjury, that is now on all sides more than ever, and from all those other Heinous Sins which cry aloud. Preserve and Bless this Church. Comfort our Distressed King; Restore him to his Right, and his Misled Subjects to their Allegiance: Bless also his Royal Consort, Our Gracious Queen Mary; *his Royal Highness the Prince of* Wales, *That he may grow in Stature, and in Favour with God and Man; Support and Strengthen all those that suffer in any kind for a good Cause; give them Patience under all their Afflictions, and a happy Deliverance out of them. Forgive all mine Enemies.*

Pardon my former neglect, and remissness in Religious Worship, and Holy Duties, and all the Sins I have been guilty of to this very moment. Consider my Contrition, Accept my Tears; And now thou art pleased to take me hence, take me into thy Favour, and grant that my Soul may be without spot presented unto Thee, through the Merits of thy most dearly Beloved Son, Jesus Christ our Lord. Amen.

John Freind.

Sir WILLIAM PARKINS's *Paper.*

IT hath not been my custom to use many words, and I shall not be long upon this Occasion, having Business of much greater Consequence to employ my thoughts upon. I thank God I am now in a full disposition to Charity, and therefore shall make no Complaints, either of the Hardships of my Trial, or any other Rigours put upon me. However one circumstance I think my self obliged to mention; it was Sworn against me by Mr. *Porter*, That I had own'd to him, that I had Seen and Read a Commission from the King, to Levy War upon the Person of the Prince of *Orange*: Now I must declare, That the Tenour of the King's Commission, which I saw, was general, and directed to all his Loving Subjects, to Raise and Levy War against the Prince of *Orange* and his Adherents, and to Seize all Forts, Castles, *&c.* which, I suppose, may be a customary Form of giving Authority to make War; but I must confess, I am not much acquainted with Matters of that nature: But as for any Commission particularly levelled against the Person of the Prince of *Orange*, I neither saw nor heard of any such.

It's true I was privy to the Design upon the Prince, but was not to act in it; and am fully satisfied that very few, or none, knew of it, but those who undertook to do it.

I freely acknowledge, and think it for my Honour to say, that I was entirely in the Interest of the King, being always firmly perswaded of the Justice of his Cause, and looked upon it as my Duty, both as a Subject, and an *English-man*, to Assist him in the Recovery of his Throne, which I believed him to be Deprived of, contrary to all Right and Justice; taking the Laws and Constitutions of my Country for my Guide.

As for my Religion, I Dye in the Communion of the Church of *England*, in which I was Educated.

And as I freely Forgive all the World, so whoever I may any ways have injured, I heartily ask them Pardon.

William Parkins.

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